

GREENFIELD TOWN COUNCIL

Regular Meeting Minutes

July 15, 2015

GCTV-15, 393 Main Street

7:00 pm

**CALL TO ORDER:** Meeting was called to order at 7:22 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 Accountant Elizabeth Braccia; GBA Caitlyn Von-Schmidt; Special Assistant to the Mayor for Special Projects John Lunt; Franklin County Technical School (FCTS) Business Manager Russell Kaubris; FCTS Greenfield representative School Committee member Mark Maloney; GCTV-15 staff; Anita Fritz, *the Recorder*; and members of the public.

**ACCEPTANCE OF MINUTES:** None.

**PUBLIC COMMENT:** The following people spoke in favor of the Citizens Petition titled Greenfield Plastic Waste Reduction Ordinance”:

- Sandra Boston, 15 Abbott Street
- Louise Amyot, 56 Madison Circle
- Dorothy McIver, 88 Columbus Ave

Betty Tegel, resident of Turners Falls, Ma, read the attached statement regarding the 25<sup>th</sup> anniversary of the American with Disabilities Act.

**PUBLIC HEARINGS:** None.

**COMMUNICATIONS:**

MAYOR: Mayor Martin spoke regarding the following:

- Community Development Block Grant
- Department of Veterans Services and the Upper Pioneer Valley Veterans Service.
- Task forces for Highland Park and Veteran’s Fields.
- Municipal Light plant update.
- Portable Stage.

Mr. Lunt and Ms. Von-Schmidt spoke regarding the cultural district resolution and reason this would be beneficial for the Town of Greenfield.

SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE: Mr. Kaubris and Mr. Maloney discussed the proposed FCTS resolution with the Town Council. The following was mentioned:

- Total overall cost to the improvements would be lower than expected.
- Amendments to the member town agreement had never been made.
- To amend the agreement there would need to be a unanimous vote from all member towns.
- The intention of the resolution was to create discussion.

Mr. Maloney stated FCTS would be offering AP courses for the first time in the next school year. .

TOWN OFFICERS: None.

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councilor Siano stated the Appointment and Ordinance Committee forwarded unanimous positive recommendation for the following appointments.

**Order no. FY 16-001**

**MOTION:** On a motion by Councilor Siano, second by Councilor Renaud, it was unanimously,  
**VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10, ACCEPTS THE FOLLOWING APPOINTMENT BY THE MAYOR TO THE RECREATION COMMISSION: RACHAEL KASHNER – THREE-YEAR TERM EXPIRING JUNE 30, 2018 (TO FILL THE VACANCY LEFT BY JILL FITZSIMMONS WHO OPTED TO NOT BE REAPPOINTED)

**Order no. FY 16-002**

**MOTION:** On a motion by Councilor Siano, second by Councilor Renaud, it was unanimously,  
**VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10, ACCEPTS THE FOLLOWING APPOINTMENTS BY THE MAYOR TO THE FRANKLIN COUNTY TECHNICAL SCHOOL, SCHOOL COMMITTEE:

- CHRISTOPHER JOSEPH – REAPPOINTMENT TO A THREE YEAR TERM TO EXPIRE JUNE 30, 2018
- MARK LEONARD - THREE-YEAR TERM TO EXPIRE JUNE 30, 2018 (TO COMPLETE AND CONTINUE THE TERM LEFT VACANT BY THE RESIGNATION OF LARRY GEISER)

**Order no. FY 16-003**

**MOTION:** On a motion by Councilor Siano, second by Councilor Renaud, it was unanimously,  
**VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10, ACCEPTS THE FOLLOWING APPOINTMENT BY THE MAYOR TO THE ZONING BOARD OF APPEALS: BRICKETT ALLIS - THREE YEAR TERM TO EXPIRE, JUNE 30, 2018 (TO FILL THE SEAT LEFT VACANT BY STEVEN RONHAVE WHO DID NOT SEEK REAPPOINTMENT)

**Order no. FY 16-004**

**MOTION:** On a motion by Councilor Siano, second by Councilor Mass, it was unanimously,  
**VOTED:** 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: KAREN F. McCORMACK - THREE YEAR TERM EXPIRING, JUNE 30, 2018 (TO REPLACE JUDITH YOUNG WHO OPTED NOT TO BE REAPPOINTED)

**Order no. FY16-005**

1 of 2

**MOTION:** On a motion by Councilor Devlin, second by Councilor Ricketts, it was,  
**MOVED:** THAT IT BE ORDERED TO ACCEPT THE ECONOMIC DEVELOPMENT INCENTIVE PROGRAM'S LOCAL-INCENTIVE ONLY APPLICATION OF JIMBOB REALTY, LLC, GREENFIELD CARMART, LLC AND TWO FATHERS, LLC AND FORWARD SAID APPLICATION TO THE MASSACHUSETTS ECONOMIC ASSISTANCE COORDINATING COUNCIL FOR ITS FOR APPROVAL AND ENDORSEMENT, AND TO WAIVE THE READING OF THE RESOLUTION.

**DISCUSSION:** Councilor Devlin stated the Economic Development Committee forwarded a unanimous positive recommendation for approval. Discussion held at the EDC meeting included tax reductions on both real estate and property taxes which were requested in the application, and the increase in jobs over the life of the agreement. The following comments were discussed:

- Real enticement for Economic Development Incentive Program (EDPI) also receiving associated State tax brakes.
- Reduce the percentage of Town tax brakes to 10% for ten years. This would equate to a total reduction of \$3,404.00 each year.
- In the terms of the agreement, the business would have to report yearly on job growth; if the terms in the agreement were not met, the agreement ceased.
- Town tax brake was only applicable to approximately half the total cost of the project.
- This program was usually used as an incentive to expand or build a business. This business will rebuild regardless of the application being approved.

**MOTION:** On a motion by Councilor Mass, second by Councilor Siano, it was,  
**MOVED:** TO AMEND THE AMORTIZATION SCHEDULE BY CHANGING YEAR 2017 THROUGH 2027 FROM THE NUMBERS LISTED IN THE TABLE TO 10% IN EACH YEAR FOR A TAX REDUCTION OF \$3,404.00 PER YEAR TO A TOTAL OF \$34,042.80.

**DISCUSSION:** Mayor Martin spoke to the additional impact the “multiplier effect” would have on local economy. He noted the creation of additional jobs, income from those jobs, and the amount to be expended into the local economy from those incomes.

It was by majority,

**DEFEATED:** TO AMEND THE AMORTIZATION SCHEDULE BY CHANGING YEAR 2017 THROUGH 2027 FROM THE NUMBERS LISTED IN THE TABLE TO 10% IN EACH YEAR FOR A TAX REDUCTION OF \$3,404.00 PER YEAR TO A TOTAL OF \$34,042.80.

**MOTION:** On a motion by Councilor Renaud, second by Councilor Ricketts, it was by majority, 6 yes and 4 no,

**TABLED:** THAT IT BE ORDERED TO ACCEPT THE ECONOMIC DEVELOPMENT INCENTIVE PROGRAM’S LOCAL-INCENTIVE ONLY APPLICATION OF JIMBOB REALITY, LLC, GREENFIELD CARMART, LLC AND TWO FATHERS, LLC AND FORWARD SAID APPLICATION TO THE MASSACHUSETTS ECONOMIC ASSISTANCE COORDINATING COUNCIL FOR ITS FOR APPROVAL AND ENDORSEMENT, AND TO WAIVE THE READING OF THE RESOLUTION.

Order no. FY 16-005

2 of 2

**MOTION:** On a motion by Councilor Devlin, second by Councilor Renaud, it was,  
**MOVED:** THAT IT BE ORDERED TO APPROVE THE TAX INCREMENT FINANCING AGREEMENT ATTACHED THEREIN AND INCLUDED IN THE AGENDA PACKET AND FORWARD SAID AGREEMENT TO THE MASSACHUSETTS ECONOMIC ASSISTANCE COORDINATING COUNCIL, AND TO WAIVE THE READING OF THE RESOLUTION.

**MOTION:** On a motion by Councilor Renaud, second by Councilor Mass, it was by majority, 8 yes and 3 no,

**TABLED:** THAT IT BE ORDERED TO APPROVE THE TAX INCREMENT FINANCING AGREEMENT ATTACHED THEREIN AND INCLUDED IN THE AGENDA PACKET AND FORWARD SAID AGREEMENT TO THE MASSACHUSETTS ECONOMIC ASSISTANCE COORDINATING COUNCIL, AND TO WAIVE THE READING OF THE RESOLUTION.

Order no. FY 16-024

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

**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PETITION THE GENERAL COURT TO AMEND CHAPTER 48 OF THE ACTS OF 2005 BY STRIKING OR REMOVING THE LAST SENTENCE IN SECTION 1 WHICH READS: “THE LICENSING AUTHORITY SHALL NOT APPROVE THE TRANSFER OF THE LICENSE TO ANY OTHER PERSON, ORGANIZATION, CORPORATION OR LOCATION.”

**DISCUSSION:** Councilor Devlin stated the Economic Development Committee forwarded a unanimous positive recommendation for approval. He reviewed discussion held at the EDC meeting and liquor licenses through the town.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 16 -024.

Order no. FY 16-016

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

**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESOLUTION TITLED “RESOLUTION TO CREATE THE DOWNTOWN GREENFIELD CULTURAL DISTRICT.

**Resolution to Create the Downtown Greenfield Cultural District**

A resolution by the City known as the Town of Greenfield, Massachusetts to create a state-authorized cultural district for at least (5) years to be named: the Downtown Greenfield Cultural District

**WHEREAS,** Greenfield wishes to pursue a state-authorized cultural district through the enabling legislation (MGL Part I, Title II, Chapter 10, Section 58A)

**WHEREAS,** Greenfield has a mixed-use geographical area that has a concentration of cultural facilities and assets.

**WHEREAS,** the Community Relations and Education Committee of the Greenfield Town Council has held a public hearing and has voted to recommend a resolution proclaiming its interest in establishing a state-designated cultural district.

**WHEREAS,** Greenfield has created a broad and diverse partnership of stakeholders committed to cultural, community and economic development to provide oversight of the district.

**WHEREAS,** the Massachusetts Cultural Council will be petitioned in accordance with its guidelines and criteria to designate said cultural district.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Greenfield that:~~the Greenfield:~~

**Article 1.** Endorses the submission of this application and agrees to foster the development of a cultural district.

**Article 2.** Endorses the state-sponsored cultural district goals: attracting artists and cultural enterprises, encouraging business and job development, establishing tourist destinations, preserving and reusing historic buildings, enhancing property values and fostering local cultural development.

**Article 3.** Will appoint ~~a city official~~ **the Mayor or designee** to represent the city within the district partnership of said cultural district.

**Article 4.** Encourages all who own property or businesses within said cultural district to involve themselves and participate in the full development of the cultural district.

**Article 5. ~~Directs~~ Recommends that** city agencies ~~to~~ identify programs and services that could support and enhance the development of the cultural district and ensure that those programs and services are accessible to the cultural district.

ADOPTED ON THIS 15<sup>th</sup> DAY OF July OF 2015

President of City Council signature \_\_\_\_\_

Date signed July 15, 2015

Mayor's signature \_\_\_\_\_ Date signed \_\_\_\_\_

**DISCUSSION:** Councilor Kelner stated the Community Relations and Education Committee forwarded a unanimous positive recommendation on the resolution without strikethroughs.

**MOTION:** On a motion by Councilor Kelner, second by Councilor Siano, it was unanimously, **VOTED:** TO AMEND THE RESOLUTION AS INDICATED BY THE STRIKE VERSION AND INSERT "THE CITY COUNCIL" PRIOR TO ARTICLE 1.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 16 -016 AS AMENDED.

**Resolution to Create the Downtown Greenfield Cultural District**

A resolution by the City known as the Town of Greenfield, Massachusetts to create a state-authorized cultural district for at least (5) years to be named: the Downtown Greenfield Cultural District

**WHEREAS,** Greenfield wishes to pursue a state-authorized cultural district through the enabling legislation (MGL Part I, Title II, Chapter 10, Section 58A)

**WHEREAS,** Greenfield has a mixed-use geographical area that has a concentration of cultural facilities and assets.

**WHEREAS,** the Community Relations and Education Committee of the Greenfield Town Council has held a public hearing and has voted to recommend a resolution proclaiming its interest in establishing a state-designated cultural district.

**WHEREAS,** Greenfield has created a broad and diverse partnership of stakeholders committed to cultural, community and economic development to provide oversight of the district.

**WHEREAS,** the Massachusetts Cultural Council will be petitioned in accordance with its guidelines and criteria to designate said cultural district.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Greenfield that:

**The City Council:**

**Article 1.** Endorses the submission of this application and agrees to foster the development of a cultural district.

**Article 2.** Endorses the state-sponsored cultural district goals: attracting artists and cultural enterprises, encouraging business and job development, establishing tourist destinations, preserving and reusing historic buildings, enhancing property values and fostering local cultural development.

**Article 3.** Will appoint **the Mayor or designee** to represent the city within the district partnership of said cultural district.

**Article 4.** Encourages all who own property or businesses within said cultural district to involve themselves and participate in the full development of the cultural district.

**Article 5. Recommends that** city agencies identify programs and services that could support and enhance the development of the cultural district and ensure that those programs and services are accessible to the cultural district.

**Order no. FY 16-017**

**MOTION:** On a motion by Councilor Kelner, second by Councilor Ricketts, it was unanimously, **VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE RESOLUTION THAT “THE TOWN COUNCIL OF THE CITY OF GREENFIELD ENDORSES THE MAYOR’S PROPOSAL FOR THE CREATION OF A MULTI-MEMBER PARTNERSHIP, FOR THE PURPOSE OF THE DEVELOPMENT OF THE DOWNTOWN GREENFIELD CULTURAL DISTRICT SALES AND MARKETING PLAN.”

**Order no. FY 16-018**

**MOTION:** On a motion by Councilor Allis, second by Councilor Ronhave, it was, **MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESOLUTION TITLED “RESOLUTION RELATIVE TO FRANKLIN COUNTY TECHNICAL SCHOOL BONDING AUTHORITY.”

**Resolution Relative to Franklin County Technical School Bonding Authority**

WHEREAS, The Town of Greenfield has been the largest user of services at the Franklin County Technical School since its inception; and

WHEREAS, The Town of Greenfield is well represented on the Franklin County Technical School Committee with four members appointed by the Mayor subject to review by the Town Council; and

WHEREAS, the Franklin County Technical School Committee has over four decades of strong and fiscally prudent actions to maintain the school facilities; and

WHEREAS, prior to 2015 the Franklin County Technical School Committee has never sought to bond for building repairs; and

WHEREAS, the Franklin County Technical School Member Agreement calls for a direct vote of the member community electorate for the authority to bond; and

WHEREAS, On June 23, 2015 the Franklin County Technical School Committee funded and held such in election in the individual member communities; and

WHEREAS, such election could not occur during at a historically known voting times as the member communities hold Town meetings on different dates; and

WHEREAS, the cost of election was greater than \$80,000 which was subsequently unavailable for the direct education of Franklin County Technical School students; and

WHEREAS, the Franklin County Technical School Committee and Town of Greenfield are rightly prohibited by state law from taking a position and advocating for such a ballot question with taxpayer funds; and

WHEREAS, the voter turnout for the June 23, 2015 election was less than 3% county-wide and less than 2% in Greenfield; and

WHEREAS, this is an inefficient way to gage the collective will of the community, only required due to the original provisions of the Franklin county Technical School Member Agreement; and

WHEREAS, greater voter turnout exists at elections for Greenfield Town Council, for Representative Town Meeting Member and at Open Town Meetings:

WHEREAS, The officials elected in those elections and present at Open Town Meeting are charged with oversight and approval of the Franklin County Technical School operating budget and all other items that affect property taxes in the member communities; and

WHEREAS, Greenfield is the last of the Member Communities to hold its annual town meeting every year.

NOW THEREFORE BE IT RESOLVED THAT the Town Council of Greenfield Massachusetts

1. Requests that the Franklin County School Committee and Member Communities strongly consider a revision of the membership agreement to mitigate the costs of such an election in the future.
2. Requests that the Franklin County School Committee and Member Communities consider amending the agreement to allow Town Meeting to approve bonding authority without direct election up to an amount of Ten Million Dollars (\$10,000,000.00) or such figure as they deem is appropriate.
3. The Greenfield representatives of the Franklin County Technical School Committee shall be invited to report to the Greenfield Town Council on progress towards the implementation of this resolution within nine months.
4. Shall cause a copy of this resolution to be presented to the Franklin County Technical School Committee, the individual Town of Greenfield's Franklin County Technical School Committee representatives, The Franklin County Technical School Principal and Superintendent, the Boards of Selectmen for the Member Communities asking them to take action to reform the mechanism for bonding requests under the existing Membership Agreement.

**DISCUSSION:** Councilor Allis stated the Ways and Means Committee forwarded a unanimous positive recommendation for approval. Councilor Mass explained his reasons for proposing the resolution. President Hoffman recognized the Council walked a fine line between Resolutions with “no teeth” and ones with too many specific requirements to be met. Comments included:

- Suggestion to table the resolution to allow the FCTS School Committee to have discussion prior to approval.
- The purpose of the resolution was to initiate discussion between the School Committee and member towns.
- The June vote was the first capital request in the 37 year existence of the school.

- The resolution should be forwarded to all member towns.

It was by majority, 1 no,

**VOTED:** TO APPROVE ORDER NO. FY 16 -018.

**Order no. FY 16-006**

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

**VOTED:** THAT IT BE ORDERED THAT IT BE ORDERED THAT IN ACCORDANCE WITH MGLc 54, SECTION 24, THE GREENFIELD TOWN COUNCIL HEREBY DESIGNATES POLLING LOCATIONS FOR THE VOTERS OF THE TOWN OF GREENFIELD AS FOLLOWS: PRECINCTS 1, 2, 3, 4, 5, 6, 7, 8, and 9 SHALL BE HELD AT THE GREENFIELD HIGH SCHOOL GYMNASIUM LOCATED AT 21 BARR AVENUE, GREENFIELD.

Councilor Allis stated the Ways and Means Committee forwarded unanimous positive recommendation for approval of all financial requests unless otherwise noted.

**Order no. FY 16-007**

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

**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESERVE FUND TRANSFER FOR TOWN ATTORNEY SERVICES TO BE TRANSFERRED INTO ACCOUNT NUMBER 0100.151.5302 IN THE AMOUNT OF \$24,000.00.

**DISCUSSION:** It was noted the majority of this cost was due to legal assistance of environmental and tax title issues from the Lunt property. Ms. Kelly stated in Fiscal Year 2015, Town Attorney services had cost approximately \$62,000.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 16 -007.

**Order no. FY 16-008**

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

**VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESERVE FUND TRANSFER FOR HUMAN RESOURCES ADVERTISING TO BE TRANSFERRED INTO ACCOUNT NUMBER 0100.152.5345 IN THE AMOUNT OF \$6,600.00.

**Order no. FY 16-009**

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

**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESERVE FUND TRANSFER FOR TECHNOLOGY DEPARTMENT TO BE TRANSFERRED INTO ACCOUNT NUMBER 0100.155.5313 IN THE AMOUNT OF \$30,000.00.

**DISCUSSION:** This cost was associated with the transition to an in-house IT department and consultant services.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 16 -009.

**Order no. FY 16-010**

Financial Order 15-57

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



Order no. FY 16-019

**MOTION:** On a motion by Councilor Allis, second by Councilor Ronhave, it was unanimous,  
**VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESERVE FUND TRANSFER FOR THE DEMOLITION OF THE HAPCO BUILDING TO BE TRANSFERED INTO ACCOUNT NUMBER 4015.212.5820 IN THE AMOUNT OF \$7,600.

Order no. FY 16-020

**MOTION:** On a motion by Councilor Allis, second by Councilor Ronhave, it was by majority, 1 no,  
**VOTED:** THAT IT BE ORDERED TO SEE IF THE TOWN WILL APPROVE THE FILING OF A 2015 MASSWORKS INFRASTRUCTURE PROGRAM APPLICATION WITH THE COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT TO FUND THE FINAL DESIGN AND CONSTRUCTION OF THE OLIVE STREET PARKING GARAGE (PARCELS 51-16,51-20,51-21,51-22, AND 51-23).

Order no. FY 16-021

**MOTION:** On a motion by Councilor Allis, second by Councilor Ronhave, it was unanimous,  
**VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESERVE FUND FOR SCHOOL UNEMPLOYMENT COMPENSATION TO BE TRANSFERED INTO ACCOUNT NUMBER 8300.913.5171 IN THE AMOUNT OF \$16,000.00.

Order no. FY 16-022

**MOTION:** On a motion by Councilor Allis, second by Councilor Ronhave, it was,  
**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESERVE FUND FOR TOWN HALL CONTRACTED SERVICES TO BE TRANSFERED INTO ACCOUNT NUMBER 0100.192.5246.1192 IN THE AMOUNT OF \$5,000.00.

**DISCUSSION:** Councilor Allis stated the Ways and Means Committee forwarded a majority positive recommendation. It was noted this cost was for the replacement of the air-conditioning unit in the IT office.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 16 -022.

Order no. FY 16-023

**MOTION:** On a motion by Councilor Siano, second by Councilor Ricketts, it was,  
**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL VOTES TO ACCEPT THE INITIATIVE PETITION TITLED "GREENFIELD PLASTIC WASTE REDUCTION ORDINANCE" AS PRESENTED WITHOUT CHANGE OR ALTERATIONS PER CHARTER SECTION 7-7 (d).

**DISCUSSION:** President Hoffman clarified this was not an ordinance this was a citizens petition as outlined in the charter. She noted the Town Council could not make amendments to this proposal. Councilor Mass spoke of discussion held by the Appointment and Ordinance Committee regarding the Charter and procedure for citizen's petitions. Town Clerk Tuttle reviewed the Town Attorney opinion of the petition and process outlined in the Charter. The following comments were discussed:

- Interpretation of the charter section includes allowing the Town Council to vote in favor of the proposal makes it law and allows for amendments.
- The Clerk must follow the Town Attorneys instructions.
- Comparison of this petition to the Biomass and French King petitions.
- Concern for the process as outlined by the Town Attorney.

- Tabling the order would require the petitioners to obtain additional signatures.
- Legal opinion outlines issues with the language as proposed; should not be passed.
- If a Councilor supported this language they could have sponsored the ordinance and negated the citizen's petition process.
- Inaccuracies in the language would be corrected after the ordinance was passed.
- Importance of this being enacted.
- The value of reducing plastic waste as outlined in the Sustainable Master Plan.

**MOTION:** On a motion by Councilor Mass, second by Councilor Allis, it was by majority 8 yes and 3 no,  
**TABLED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL VOTES TO ACCEPT THE INITIATIVE PETITION TITLED "GREENFIELD PLASTIC WASTE REDUCTION ORDINANCE" AS PRESENTED WITHOUT CHANGE OR ALTERATIONS PER CHARTER SECTION 7-7 (d).

**Order no. FY 16-015**

**MOTION:** On a motion by Councilor Siano, second by Councilor Mass, it was unanimously,  
**VOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL TAKE FROM THE TABLE ORDER NO. FY 15-139 "THAT THE GREENFIELD TOWN COUNCIL AMEND THE CODE OF THE TOWN OF GREENFIELD CHAPTER 159, STREETS AND SIDEWALKS, SECTIONS 159-16 AND 159-17, AS INDICATED IN THE 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." WHICH WAS TABLED AT THE JUNE 17, 2015 TOWN COUNCIL MEETING.

159-16 Responsibilities of owners (sidewalks)

The owner of any real estate abutting any Town way where there is a sidewalk, shall within twenty-four (24) hours after the ceasing to fall or form or the accumulation from any other cause of any snow, ice or sleet upon said sidewalk, cause the same to be removed there from, **for the full width of the sidewalk and including abutting curb cuts/ramps**, and if the same cannot be wholly removed shall sprinkle thereon sand or other substance so the [sic] such sidewalks shall be safe for travel.

159-17 Violations and penalties

Whoever violates any provision of the bylaw shall be punished by a fine not exceeding ten dollars (\$10) for the first offense, twenty-five dollars (\$25) for the second offense and for the third and subsequent offenses, one hundred dollars (\$100) for each separate offense in any one (1) calendar year. **Each twenty-four-hour period a violation exists shall be considered to constitute a separate offense.**

**DISCUSSION:** Councilor Siano spoke of the proposed amendments from the Appointment and Ordinance Committee.

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

**VOTED:** TO AMEND THE PROPOSED LANGUAGE TO READ AS FOLLOWS:

159-16 Responsibilities of owners (sidewalks)

The owner of any real estate abutting any Town way where there is a sidewalk, shall within twenty-four (24) hours after the ceasing to fall or form or the accumulation from any other cause of any snow, ice or sleet upon said sidewalk, cause the same to be removed there from, **for four feet up to the full width of the sidewalk and including abutting curb cuts/ramps**, and if the same cannot be wholly removed shall sprinkle thereon sand or other substance so the [sic] such sidewalks shall be safe for travel.

159-17 Violations and penalties

Whoever violates any provision of the bylaw shall be punished by a fine not exceeding ten dollars (\$10) for the first offense, twenty-five dollars (\$25) for the second offense and for the third and subsequent offenses, one hundred dollars (\$100) for each separate offense in any one (1) calendar year.

~~Each twenty-four hour period a violation exists shall be considered to constitute a separate offense.~~

**DISCUSSION:** Support was expressed for making accessibility easier and for approving the motion as amended.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 16 -015 AS AMENDED.

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

### **REPORTS OF COMMITTEES**

**COMMUNITY RELATIONS AND EDUCATION COMMITTEE** – Chairman Kelner invited citizens to attend the July 27, 2015 meeting to give input and suggestions to support the clearing of sidewalks as amended that was approved by the Town Council tonight.

**ECONOMIC DEVELOPMENT COMMITTEE** – Chairman Devlin noted the committee would hold a Joint Public Hearing with the Planning Board on Tuesday, July 21, 2015 regarding a purposed zoning amendment for King's Gym.

**APPOINTMENTS AND ORDINANCE COMMITTEE**- Chairman Siano requested the Mayor and Town Council President make appointments to the Elected and Appointed Officials board by September. The committee recommended Councilor Siano be one of the taxpayer advocates on the aforementioned board. The committee continued discussion on the Assemblies Ordinance and had begun discussing the proposed Tree Ordinance. Councilor Siano requested a copy of the current Tree Ordinance be forwarded to Councilor's for review.

**TREASURER REPORT** None.

**UNFINISHED BUSINESS:** None.

**OLD BUSINESS:** President Hoffman stated the deadline for applying to fill the At-Large Town Council vacancy was today. She noted interviews would be held with the four (4) applicants and a recommendation would be brought to the August Committee Chairs meeting. Also for the August Town Council meeting to be considered.

**NEW BUSINESS:** Councilor Allis held the following first reading:

- Appropriate \$1,800.00 from Griswold Conservation Area Reserve for Appropriation Fund for FY16 maintenance work at the Griswold/GTD Conservation Area.
- The sum of \$1,400,000 be appropriated from the General Stabilization Fund to stabilize the tax rate.

**MOTIONS FOR RECONSIDERATION:** None.

**PUBLIC FORUM:** James Hutchinson, 136 Main Street spoke of the following:

- Thanked volunteers Jeff Weld and Brue Brownstein for cleaning up Main Street.
- Thanked former Councilor Dalton Athey for his service.

- Thanked Howard Clark and Joe Graveline for their work on the Native American burial ground ordinance.

**ADJOURNMENT:** On a motion by Councilor Ricketts, 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  
January 21, 2015

1. Kelner, Marian	P						
2. Siano, Alfred	P						
3. Allis, Brickett	P						
4. Ronhave, Steven	P						
5. Ricketts, Penny	P						
6. Hoffman, Hillary	P						
7. Renaud, Karen	P						
8. Shapiro Miller, Karen	P						
9. Hirschfeld, Norman	P						
10. Vacant	---						
11. Mass, Isaac	P						
12. Devlin, Patrick	P						
13. Maloni, Mark	Ab.						