

GREENFIELD TOWN COUNCIL
Special Meeting Minutes
December 29, 2015

GCTV-15, 393 Main Street

6:00 pm

CALL TO ORDER: Meeting was called to order at 6:04 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 the meeting.

ROLL CALL OF MEMBERS: Roll Call was taken. Councilor's Kelner, Siano and Maloni were absent.

ALSO PRESENT: Mayor William Martin; Director of Municipal Finance and Administration Marjorie L. Kelly; Town Clerk Deborah J. Tuttle; Anita Fritz, *the Recorder*; and members of the public.

MOTION: On a motion by Councilor Renaud, second by Councilor Singer, it was unanimously, **VOTED:** THAT THE GREENFIELD TOWN COUNCIL WAIVES THE RULES OF PROCEDURE, RULE 8, ORDER AND DISPOSITION OF BUSINESS TO ALLOW ITEMS TO BE TAKEN OUT OF ORDER.

Councilor Singer read the Public Hearing notice: In accordance with Home Rule Charter, the Greenfield Town Council will hold a public hearing on Tue., December 29, 2015, at 6:00 p.m. at the Planning Office, 114 Main St. to receive public input on the following:

- Amend Ordinance Chapter: 0021 Assemblies/ Mass Public Articles I and II
- The Town Council will consider the same on Tue., December 29, 2015, at 6:00 p.m. at the Planning Office, 114 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, x. 6163.

President Hoffman asked if anyone from the public wished to speak, Karl Meyre, 85 School Street, stated he had no comments at this time; however, requested the record to show he had spoke. President Hoffman closed the Public Hearing at 6:04 pm.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 16-105

MOTION: On a motion by Councilor Singer, second by Councilor Mass, it was unanimously, **VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL TAKE FROM THE TABLE ORDER NO. FY 16-099 "THAT THE GREENFIELD TOWN COUNCIL AMENDS THE CODE OF THE TOWN OF GREENFIELD BY DELETING THE EXISTING CHAPTER 21 – ASSEMBLIES, MASS PUBLIC, IN IT'S ENTIRETY AND REPLACE WITH THE NEW CHAPTER 21 ATTACHED HERETO AND FURTHER AMENDS THE INDEX OF THE CODE.." WHICH WAS TABLED AT THE DECEMBER 16, 2015 TOWN COUNCIL MEETING.

Order no. FY 16-099

MOTION: On a motion by Councilor Siano, second by Councilor Hirschfeld, it was, **MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AMENDS THE CODE OF THE TOWN OF GREENFIELD BY DELETING THE EXISTING CHAPTER 21 – ASSEMBLIES, MASS PUBLIC, IN IT'S ENTIRETY AND REPLACE WITH THE NEW CHAPTER 21 ATTACHED HERETO AND FURTHER AMENDS THE INDEX OF THE CODE.

ASSEMBLIES, MASS PUBLIC

[HISTORY: Adopted by the Town Council of the Town of Greenfield as indicated in article histories. Amendments noted where applicable.]

STATUTORY AUTHORITY

MGL c. 40, § 21

GENERAL REFERENCES

Peace and good order — See Ch. 121.

Streets and sidewalks — See Ch. 159.

§ 21-1 Definitions.(a) For purposes of the Ordinance, the term “First Amendment assembly” means a demonstration, rally, parade, march, picket line, or other similar gathering conducted for the purpose of persons expressing their views.

(b) “Licensing Commission” mean the Licensing Commission for the Town of Greenfield.

§ 21-2 Policy on First Amendment assemblies.

It is the declared public policy of the City of Greenfield (“City”) that persons and groups have a right to organize and participate in peaceful First Amendment assemblies on the streets, sidewalks, and other public ways, and the in the parks of the City of Greenfield, and to engage in First Amendment assembly near the object of their protest so they may be seen and heard, subject to reasonable restrictions designed to protect public safety, persons, and property, and to accommodate the interest of persons not participating in the assemblies to use the streets, sidewalks, and other public ways to travel to their intended destinations, and use the parks for recreational purposes.

§ 21-3 Reasonable time, place, and manner restrictions on First Amendment assemblies.

(a) The Licensing Commission shall recognize and implement the City policy on First Amendment assemblies established in § 21-2 when enforcing any restrictions on First Amendment assemblies held on City streets, sidewalks, or other public ways, or in City parks and there is a presumption that an application shall be approved by the Licensing Commission, subject to section 21-3 (b).

(b) The Licensing Commission may enforce reasonable time, place, and manner restrictions on First Amendment assemblies by establishing reasonable restrictions on a proposed assembly prior to its planned occurrence though the approval of a plan, where the organizers of the assembly give notice.

(c) No time, place, or manner restriction regarding a First Amendment assembly shall be based on the content of the beliefs expressed or anticipated to be expressed during the assembly, or on factors such as the attire or appearance of persons participating or expected to participate in an assembly, nor may such restrictions favor non-First

Amendment activities over First Amendment activities.

§ 21-4 Notice and plan approval process for First Amendment assemblies -generally.

(a) It shall not be an offense to assemble or parade on a City sidewalk, or in a City park, without having provided notice or obtained an approved assembly plan.

(b) The purpose of the notice and plan approval process is to avoid situations where more than one group seeks to use the same space at the same time and to provide the Licensing Commission and other City departments the ability to provide appropriate police protection, traffic control, and other support for

participants and other individuals.

(c) Except as provided in subsection (d) of this section, a person or group who wishes to conduct a First Amendment assembly on a City sidewalk, street, the Town Common or a City park, shall give notice and apply for approval of an assembly plan before conducting the assembly.

(d) A person or group who wishes to conduct a First Amendment assembly on a City sidewalk, the Town Common or in a City park, is not required to give notice or apply for approval of an assembly plan before conducting the assembly where:

(1) The assembly will take place on public sidewalks and crosswalks and will not prevent other pedestrians from using the sidewalks and crosswalks and will not illegally interfere with pedestrian or vehicular traffic;

(2) The person or group reasonably anticipates that the number of persons participating in the assembly will not illegally interfere with pedestrian or vehicular traffic, the space has not already been reserved through the submission of an assembly plan by another group and the assembly will not occur on a City street; or

(3) The assembly is for the purpose of an immediate and spontaneous expression of views in response to a public event.

(e) The Licensing Commission shall not enforce any user fees on persons or groups that organize or conduct First Amendment assemblies.

(f) The Mayor or Licensing Commission shall not require, separate from or in addition to the requirements for giving notice of or applying for approval of an assembly plan for a First Amendment assembly that persons give notice to, or obtain a permit or plan from, the Chief of Police, or other District officials or agencies, as a prerequisite for making or delivering an address, speech, or sermon regarding any political, social, or religious subject in any City street, sidewalk, other public way, or park, except to implement reasonable time, place and manner restrictions.

§ 21-5. Notice and plan approval process for First Amendment assemblies -processing applications; appeals; rules.

(a) (1) Subject to the appeal process set forth in subsection (d) of this section, the authority to receive and review a notice of and an application for approval of a plan for a First Amendment assembly on City streets, sidewalks, and other public ways, and in City parks, and to grant, deny, or revoke an assembly plan, is vested exclusively with the Licensing Commission.

(2) Persons or groups providing notice to and applying for approval of a plan from the City government to conduct a First Amendment assembly on a City street, sidewalk, or other public way, or in a City park, shall not be required to obtain approval for the assembly from any other official, agency, or entity in the City government; however the Licensing Commission may seek approval from other City Departments before issuing a decision in order to implement time, place and manner restrictions as provided in Section 21-4 (f) .

(b) (1) The Licensing Commission shall take final action on a notice of and an application for approval of a plan for a First Amendment assembly at its next regular meeting following receipt of the completed application and in any event prior to the date of the proposed assembly considering such factors as the anticipated size of the assembly, the proposed date and location, and the number of days between the application date and the proposed assembly date, and shall establish specific timetables for processing an application by rules issued pursuant to subsection (e) of this section.

(2) Except as provided in paragraph (3) of this subsection, where a complete application for approval of a First Amendment assembly plan is filed 60 days or more prior to the proposed assembly date, the application shall receive final action no later than 30 days prior to the proposed assembly.

(3) Following the approval of an assembly plan in response to an application pursuant to paragraph (2) of this subsection, the Licensing Commission may, after consultations with the person or group giving notice of the assembly, amend the plan to make reasonable modifications to the assembly location or route up until 10 days prior to the assembly date based on considerations of public safety.

(c) The Licensing Commission shall inform the person or group giving notice of an assembly, in writing, of the reasons for any decision to:

(1) Deny an application for approval of a First Amendment assembly plan;

(2) Revoke an assembly plan prior to the date of the planned assembly; or

(3) Approve an assembly plan subject to time, place, or manner restrictions notwithstanding that the applicant has advised the Licensing Commission are objectionable to the applicant.

(d) (1) Any applicant whose proposed assembly plan has been denied in whole or part, revoked prior to the date of the planned assembly, or granted subject to time, place, or manner restrictions deemed objectionable by the applicant, may appeal such decision to the Mayor or the Mayor's designee, who shall concur with, modify, or overrule the decision of the Licensing Commission.

(2) The Mayor shall make a decision on appeal 2 days after receiving written notice and prior to the date and time the assembly is planned to commence, and shall explain in writing the reasons for the decision.

(e) (1) Within 180 days of the passage of this Ordinance by the Town Council of Greenfield, the Licensing Commission, in accordance with this subchapter, shall issue procedural rules for implementation of this Ordinance, including but not limited to specific rules for the Town Common.

(2) Existing procedures for the issuance of permits to persons or groups seeking to conduct a First Amendment assembly on City streets, sidewalks, or other public ways, or in City parks, that are not inconsistent with this subchapter shall remain in effect pending the issuance of the procedural rules promulgated under paragraph (1) of this subsection.

§ 21-6. Exceptions.

1. Funeral Processions pursuant to M.G.L.c 85, Section 14A.

2. In order to protect and preserve the sanctity of the home and assure that members of the community enjoy in their homes and dwellings a feeling of well-being, tranquility, and privacy, no demonstrations shall be permitted that are targeted at an individual's residence.

3. It shall be unlawful for any person to engage in picketing or other protest activities within 300 feet of or about any location at which a funeral is held, within one hour prior to the commencement of any funeral, and until one hour following the cessation of any funeral.

§ 21-7. Violations and penalties.

Violation of this ordinance (§§ 21-8 through 21-12, inclusive) shall result in a civil penalty not to exceed one hundred dollars (\$100) for each offense, which shall inure to the benefit of the Town, all pursuant to MGL c. 40, § 21.

§ 21-8. Conflicts Arising from Assemblies without prior plan approval occurring at same time and space.

If notice and application for approval of an assembly plan is not provided to the Licensing Commission before such assembly and more than one assembly occurs at the same time and space, then neither assembly

has a superior right to the space.

§ 21-9. Effect.

This ordinance, when adopted, shall supersede all previous ordinances on this subject.

DISCUSSION: Councilor Singer reviewed the lengthy history of the discussions surrounding the proposed amendments to the Assemblies/Mass Public Ordinance. He noted the License Commission Chairperson had requested that the language in Article II regarding Parades remain as part of the ordinance. At the last Appointment and Ordinance Committee meeting and Public Hearing the committee voted to recommend the ordinance including Article II as indicated in tonight’s packet beginning on page 7. He noted tonight’s Public Hearing was held to ensure clarity for the public. Councilor Mass requested a friendly amendment, Councilor Singer agreed, to amend the motion to read “THAT THE GREENFIELD TOWN COUNCIL AMENDS THE CODE OF THE TOWN OF GREENFIELD BY DELETING THE EXISTING CHAPTER 21 – ASSEMBLIES, MASS PUBLIC, IN IT’S ENTIRETY AND REPLACE WITH THE NEW CHAPTER 21 ATTACHED HERETO, **AS INDICATED IN PAGES 7 – 11 IN THE PACKET**, AND FURTHER AMENDS THE INDEX OF THE CODE.” The following was discussed:

- History of the amendments.
- Guidelines for License Commission process.
- Picketing of residences.

It was unanimously,

VOTED: “THAT THE GREENFIELD TOWN COUNCIL AMENDS THE CODE OF THE TOWN OF GREENFIELD BY DELETING THE EXISTING CHAPTER 21 – ASSEMBLIES, MASS PUBLIC, IN IT’S ENTIRETY AND REPLACE WITH THE NEW CHAPTER 21 ATTACHED HERETO, **AS INDICATED IN PAGES 7 – 11 IN THE PACKET**, AND FURTHER AMENDS THE INDEX OF THE CODE.”

December 14, 2015 - A&O Recommended language including Articles I and II

*122915 Demonstration AO for Tc
With Washington DC ordinance*

Chapter 21

ASSEMBLIES, MASS PUBLIC

[**HISTORY:** Adopted by the Town Council of the Town of Greenfield as indicated in article histories. Amendments noted where applicable.]

STATUTORY AUTHORITY

MGL c. 40, § 21

GENERAL REFERENCES

- Peace and good order — See Ch. 121.**
- Streets and sidewalks — See Ch. 159.**

§ 21-1 **Definitions.**(a) For purposes of the Ordinance, the term “First Amendment assembly” means a demonstration, rally, parade, march, picket line, or other similar gathering conducted for the purpose of persons expressing their views.

(b) “Licensing Commission” mean the Licensing Commission for the Town of Greenfield.

§ 21-2 **Policy on First Amendment assemblies.**

It is the declared public policy of the City of Greenfield (“City”) that persons and groups have a right to organize and participate in peaceful First Amendment assemblies on the streets, sidewalks, and other public ways, and **the** in the parks of the City of Greenfield, and to engage in First Amendment assembly near the object of their protest so they may be seen and heard, subject to reasonable restrictions designed to protect public safety, persons, and property, and to accommodate the interest of persons not participating in the assemblies to use the streets, sidewalks, and other public ways to travel to their intended destinations, and use the parks for recreational purposes.

§ 21-3 Reasonable time, place, and manner restrictions on First Amendment assemblies.

(a) The Licensing Commission shall recognize and implement the City policy on First Amendment assemblies established in § 21-2 when enforcing any restrictions on First Amendment assemblies held on City streets, sidewalks, or other public ways, or in City parks and there is a presumption that an application shall be approved by the Licensing Commission, subject to section 21-3 (b).

(b) The Licensing Commission may enforce reasonable time, place, and manner restrictions on First Amendment assemblies by establishing reasonable restrictions **which may be applied** on a proposed assembly prior to its planned occurrence **through** the approval of a plan, where the organizers of the assembly give notice.

(c) No time, place, or manner restriction regarding a First Amendment assembly shall be based on the content of the beliefs expressed or anticipated to be expressed during the assembly, or on factors such as the attire or appearance of persons participating or expected to participate in an assembly, nor may such restrictions favor non-First

Amendment activities over First Amendment activities.

§ 21-4 Notice and plan approval process for First Amendment assemblies -generally.

(a) It shall not be an offense to assemble or parade on a City sidewalk, or in a City park, without having provided notice or obtained an approved assembly plan.

(b) The purpose of the notice and plan approval process is to avoid situations where more than one group seeks to use the same space at the same time and to provide the Licensing Commission and other City departments the ability to provide appropriate police protection, traffic control, and other support for participants and other individuals.

(c) Except as provided in subsection (d) of this section, a person or group who wishes to conduct a First Amendment assembly on a City sidewalk, street, the Town Common or a City park, shall give notice and apply for approval of an assembly plan before conducting the assembly.

(d) A person or group who wishes to conduct a First Amendment assembly on a City sidewalk, the Town Common or in a City park, is not required to give notice or apply for approval of an assembly plan before conducting the assembly where:

(1) The assembly will take place on public sidewalks and crosswalks and will not prevent other pedestrians from using the sidewalks and crosswalks and will not illegally interfere with pedestrian or vehicular traffic;

(2) The person or group reasonably anticipates that the number of persons participating in the assembly will not illegally interfere with pedestrian or vehicular traffic, the space has not already been reserved through the submission of an assembly plan by another group and the assembly will not occur on a City street; or

(3) The assembly is for the purpose of an immediate and spontaneous expression of views in response to a public event.

(e) The Licensing Commission shall not enforce any user fees on persons or groups that organize or

conduct First Amendment assemblies.

(f) The Mayor or Licensing Commission shall not require, separate from or in addition to the requirements for giving notice of or applying for approval of an assembly plan for a First Amendment assembly that persons give notice to, or obtain a permit or plan from, the Chief of Police, or other District officials or agencies, as a prerequisite for making or delivering an address, speech, or sermon regarding any political, social, or religious subject in any City street, sidewalk, other public way, or park, except to implement reasonable time, place and manner restrictions.

§ 21-5. Notice and plan approval process for First Amendment assemblies -processing applications; appeals; rules.

(a) (1) Subject to the appeal process set forth in subsection (d) of this section, the authority to receive and review a notice of and an application for approval of a plan for a First Amendment assembly on City streets, sidewalks, and other public ways, and in City parks, and to grant, deny, or revoke an assembly plan, is vested exclusively with the Licensing Commission.

(2) Persons or groups providing notice to and applying for approval of a plan from the City government to conduct a First Amendment assembly on a City street, sidewalk, or other public way, or in a City park, shall not be required to obtain approval for the assembly from any other official, agency, or entity in the City government; however the Licensing Commission may seek approval from other City Departments before issuing a decision in order to implement time, place and manner restrictions as provided in Section 21-4 (f) .

(b) (1) The Licensing Commission shall take final action on a notice of and an application for approval of a plan for a First Amendment assembly at its next regular meeting following receipt of the completed application and in any event prior to the date of the proposed assembly considering such factors as the anticipated size of the assembly, the proposed date and location, and the number of days between the application date and the proposed assembly date, and shall establish specific timetables for processing an application by rules issued pursuant to subsection (e) of this section.

(2) Except as provided in paragraph (3) of this subsection, where a complete application for approval of a First Amendment assembly plan is filed 60 days or more prior to the proposed assembly date, the application shall receive final action no later than 30 days prior to the proposed assembly.

(3) Following the approval of an assembly plan in response to an application pursuant to paragraph (2) of this subsection, the Licensing Commission may, after consultations with the person or group giving notice of the assembly, amend the plan to make reasonable modifications to the assembly location or route up until 10 days prior to the assembly date based on considerations of public safety.

(c) The Licensing Commission shall inform the person or group giving notice of an assembly, in writing, of the reasons for any decision to:

(1) Deny an application for approval of a First Amendment assembly plan;

(2) Revoke an assembly plan prior to the date of the planned assembly; or

(3) Approve an assembly plan subject to time, place, or manner restrictions notwithstanding ~~that the applicant has advised the Licensing Commission are objectionable to the applicant the applicants objections.~~

(d) (1) Any applicant whose proposed assembly plan has been denied in whole or part, revoked prior to the date of the planned assembly, or granted subject to time, place, or manner restrictions deemed objectionable by the applicant, may appeal such decision to the Mayor or the Mayor's designee, who shall concur with, modify, or overrule the decision of the Licensing Commission.

(2) The Mayor shall make a decision on appeal **within** 2 days after receiving written notice and prior to the

date and time the assembly is planned to commence, and shall explain in writing the reasons for the decision.

(e) (1) Within 180 days of the passage of this Ordinance by the Town Council of Greenfield, the Licensing Commission, in accordance with this subchapter, shall issue procedural rules for implementation of this Ordinance, including but not limited to specific rules for the Town Common.

(2) Existing procedures for the issuance of permits to persons or groups seeking to conduct a First Amendment assembly on City streets, sidewalks, or other public ways, or in City parks, that are not inconsistent with this subchapter shall remain in effect pending the issuance of the procedural rules promulgated under paragraph (1) of this subsection.

§ 21-6. Exceptions.

1. Funeral Processions pursuant to M.G.L.c 85, Section 14A.
2. In order to protect and preserve the sanctity of the home and assure that members of the community enjoy in their homes and dwellings a feeling of well-being, tranquility, and privacy, no demonstrations shall be permitted that are targeted at an individual's residence.
3. It shall be unlawful for any person to engage in picketing or other protest activities within 300 feet of or about any location at which a funeral is held, within one hour prior to the commencement of any funeral, and until one hour following the cessation of any funeral.

§ 21-7. Violations and penalties.

Violation of this ordinance (~~§§ 21-8 through 21-12, inclusive~~) shall result in a civil penalty not to exceed one hundred dollars (\$100) for each offense, which shall inure to the benefit of the Town, all pursuant to MGL c. 40, § 21.

§ 21-8. Conflicts Arising from Assemblies without prior plan approval occurring at same time and space.

If notice and application for approval of an assembly plan is not provided to the Licensing Commission before such assembly and more than one assembly occurs at the same time and space, then neither assembly has a superior right to the space.

§ 21-9. Effect.

This ordinance, when adopted, shall supersede all previous ordinances on this subject.

ARTICLE II

Parades

[Adopted 7-17-1985; approved by AG 9-19-1985 (Sec. 3.11 of the 1985 Bylaws)]

§ 21-8. Purpose.

The purpose of the following bylaws is to cover all sections not covered by Article I, Public Demonstrations, of this Chapter 21 (First Amendment Right of Assembly and applicable portions of the Massachusetts Constitution), the intent of these bylaws being to cover non-First Amendment situations and to allow the ~~Board of Selectmen License Commission~~ the discretion to issue permits in such cases. A parade shall consist of non-First Amendment procession, assembly, or other organized formation.

§ 21-9. Permit required.

No person shall take part in any parade of persons or vehicles, other than a funeral procession or a picket line, in or upon any street, way, highway, road, or parkway or other public property under the control of the Town unless the ~~Board of Selectmen-License Commission~~ has granted a permit for such parade.

§ 21-10. Criteria for approval; fee.

The ~~Board of Selectmen-License Commission~~ may issue such permit in all cases except where the time, place, and manner are not in conformity with the rules set forth below and except where the permit would be in conflict as to time or place with a permit previously issued. No fee shall be charged for any such permit.

§ 21-11. Time of filing.

The written request for the permit shall be filed with the ~~Board of Selectmen-License Commission~~ at least seven (7) days prior to each occurrence, and said ~~Board-Commission~~ may waive this seven-day requirement. The request shall include the following:

- A. The date and starting time;
- B. The name, address and telephone number of the applicant and the name of the organization involved;
- C. The formation or assembly area and the time therefor;
- D. The route of the parade or motorcade and what portions, if any, of the streets traversed may be occupied by such parade or motorcade; and
- E. The approximate number of persons and vehicles in the parade or motorcade, if applicable.

§ 21-12. Police protection.

When it is of a size or nature that requires the diversion of so great a number of police officers of the Town to properly police the line of movement in areas involved and areas contiguous thereto that the parade would deny reasonable police protection to the Town.²

§ 21-13. Authority to modify place, time and route.

The ~~Board of Selectmen-License Commission~~ shall have the authority to modify the place, time and route of a parade to facilitate crowd control in the interest of relieving congestion and promoting public safety.

§ 21-14. Violations and penalties.

Violation of the above bylaws (§§ 21-8 through 21-13, inclusive) shall result in a criminal penalty not to exceed one hundred dollars (\$100) for each offense, which shall inure to the benefit of the Town, all pursuant to MGL c. 40, § 21.

Order no. FY 16-106

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

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL TAKE FROM THE TABLE ORDER NO. FY 16-078”

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

TABLED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL RESCIND THE FOLLOWING ORDER VOTED DURING THE OCTOBER 21, 2015:

MOTION: On a motion by Councilor Allis, second by Councilor Maloni, it was by majority, 1 no,
VOTED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THAT THE SUM OF \$10,000,000 IS APPROPRIATED FOR THE COSTS OF PLANNING, DESIGN, AND CONSTRUCTION OF A PARKING GARAGE AND FOR THE PAYMENT OF ALL COSTS INCIDENTAL AND RELATED THERETO, AND TO MEET SAID APPROPRIATION, THE TREASURER WITH THE APPROVAL OF THE MAYOR, IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$10,000,000, 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 THESE PROJECTS” WHICH WAS TABLED AT THE NOVEMBER 18, 2015 TOWN COUNCIL MEETING.

Order no. FY 16 -078

MOTION: On a motion by Councilor Allis, second by Councilor Ronhave, it was,
MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL RESCIND THE FOLLOWING ORDER VOTED DURING THE OCTOBER 21, 2015:

MOTION: On a motion by Councilor Allis, second by Councilor Maloni, it was by majority, 1 no,
VOTED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THAT THE SUM OF \$10,000,000 IS APPROPRIATED FOR THE COSTS OF PLANNING, DESIGN, AND CONSTRUCTION OF A PARKING GARAGE AND FOR THE PAYMENT OF ALL COSTS INCIDENTAL AND RELATED THERETO, AND TO MEET SAID APPROPRIATION, THE TREASURER WITH THE APPROVAL OF THE MAYOR, IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$10,000,000, 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 THESE PROJECTS” WHICH WAS TABLED AT THE NOVEMBER 18, 2015 TOWN COUNCIL MEETING.

DISCUSSION: It was noted that the State was actively searching for funding options for a parking structure. Ms. Kelly stated in order to work collaboratively with the State the Town Council was asked to vote no to the motion to rescind. Mayor Martin spoke in opposition of his request to rescind the motion.

It was by roll call,

DEFEATED: TO RESCIND ORDER NO. FY 16 -078.

Councilor Ronhave thanked Councilor Singer for the clarity and effort he put into the process for amending the Assemblies ordinance.

ADJOURNMENT: On a motion by Councilor Allis, second by Councilor Devlin, it was unanimously
VOTED: TO ADJOURN THE MEETING AT 6:30 P.M.

A true copy,

Attest: _____
 Deborah J. Tuttle, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

GCTV-15
 Special Meeting
 December 29, 2015

1. Kelner, Marian	A	---					
2. Siano, Alfred	A	---					
3. Allis, Brickett	P	N					
4. Ronhave, Steven	P	N					
5. Ricketts, Penny	P	N					
6. Hoffman, Hillary	P	N					
7. Renaud, Karen	P	N					
8. Stempel, Ashley	P	N					
9. Hirschfeld, Norman	P	N					
10. Singer, David	P	N					
11. Mass, Isaac	P	N					
12. Devlin, Patrick	P	N					
13. Maloni, Mark	A	---					