

GREENFIELD TOWN COUNCIL  
Regular Meeting Minutes  
January 20, 2016

GCTV-15, 393 Main Street

7:00 pm

**CALL TO ORDER:** Meeting was called to order at 7:07 p.m. by President Allis.

President Allis stated the meeting was being recorded videotaped and broadcasted. 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. All Councilor's were present.

**ALSO PRESENT:** Mayor William Martin; Director of Municipal Finance and Administration Marjorie L. Kelly; Town Clerk Deborah J. Tuttle; Town Accountant Elizabeth Braccia; School Superintendent Jordana Harper; Business Manager Education Howard Barber; School Committee Chairperson Timothy Farrell; Human Resource Director Dennis Helmus; Fire Department Union President Peter McIver; Recreation Director Christy Moore; Council on Aging Director Hope McCray; Senior Center Project Manager Daniel Polatta; GCTV-15 staff; Aviva Luttrell, *the Recorder*; and members of the public.

**ACCEPTANCE OF MINUTES:** On a motion by Councilor Ricketts, second by Councilor Mass, it was, **MOVED:** TO ACCEPT THE TOWN COUNCIL MINUTES OF DECEMBER 16, 2015, DECEMBER 29, 2015 AND JANUARY 4, 2016.

**DISCUSSION:** President Allis accepted a friendly amendment from Councilor Burge to the January 4, 2016 to change the language under "New Business" to read as follows: "President Allis would have committee assignments by Tuesday, January 5, 2016. Due to the short time frame for the January meeting, the Committee Chairs meeting would be held on, Monday, January 11, 2016, 6:00 pm".

It was unanimously,

**VOTED:** TO ACCEPT THE TOWN COUNCIL MINUTES OF DECEMBER 16, 2015, DECEMBER 29, 2015 AS SUBMITTED AND JANUARY 4, 2016 AS AMENDED.

**PUBLIC COMMENT:** The following spoke:

- Glen Ayers, 254 Davis Street, read the attached letter and section of minutes regarding the Town of Greenfield Water Treatment Plant.
- Garth Sheneyfelt, 26 Grinnell Street, spoke of an email he had sent to the Town Council and read an email from his neighbor. Both relate to the new Senior Center project and are attached.
- Peter McIver, President of the Fire Department Union, 10 Carol Lane, spoke in favor of the proposed acceptance of MGLC 41 Section 100 B.

**PUBLIC HEARINGS:** Councilor Lobik read the following Public Hearing notice: In accordance with Home Rule Charter, the Greenfield Town Council will hold a public hearing on Wed., Jan. 20, 2016, at 7:00 p.m. at GCTV-15, 393 Main St. to receive public input on the following:

- \$62,000 for a Wacker-Neuson WL-32 loader. \$16,000 to come from Water Retained Earnings, \$16,000 to come from Sewer Retained Earnings, and \$30,000 to come from Chapter 90.
- \$14,500 from Free Cash to provide matching funds for the first year of the two-year Adams Art Program Grant.
- \$25,000 from Free Cash to provide matching funds for the Community Clean Energy Resiliency Initiative Grant for a PV array and storage system at the Greenfield High School.

- Authorize the borrowing of \$350,000 to advance the new Senior Center project through Design Development.
- ~~Authorize the borrowing of up to \$5,600,000 for Federal Street School Accelerated Repair Program for roof, window, and boiler replacement. **Withdrawn**~~

The Town Council will consider the same on Wed., Jan. 20, 2016, 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, x. 6163.

Brickett Allis, Greenfield Town Council President

Councilor Lobik held the following second reading:

- \$62,000 for a Wacker-Neuson WL-32 loader. \$16,000 to come from Water Retained Earnings, \$16,000 to come from Sewer Retained Earnings, and \$30,000 to come from Chapter 90.
- \$14,500 from Free Cash to provide matching funds for the first year of the two-year Adams Art Program Grant.
- \$25,000 from Free Cash to provide matching funds for the Community Clean Energy Resiliency Initiative Grant for a PV array and storage system at the Greenfield High School.
- Authorize the borrowing of \$350,000 to advance the new Senior Center project through Design Development.
- ~~Authorize the borrowing of up to \$5,600,000 for Federal Street School Accelerated Repair Program for roof, window, and boiler replacement. **Withdrawn**~~

President Allis opened the Public Hearing at 7:20 and asked if anyone from the public wished to speak. Seeing none he noted the Public Hearing would remain open.

#### **COMMUNICATIONS:**

MAYOR: Mayor Martin spoke of the following:

- Senior Center project.
- Waste Water Treatment Center and invited Mr. Ayers to come to Town Hall for a discussion.
- Town of Greenfield revenues and the Fiscal Year 2017 Operating level funded budget.

SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE: Superintendent Harper and Chairperson Farrell spoke regarding:

- The process to date for the relocation of the School Administration Office. It was noted the School Committee would vote regarding the move at the February meeting. The intention was to have the move take place in July. Parking at the Middle School would need to be addressed.
- School Recycling Assistance Grant totaling \$30,000.
- Wireless Access Grant totaling \$39,000.
- Open access and dialog between Town Council and School Committee.
- Greenfield High School Graduation would be broadcast live from the new High School.

President Allis asked if anyone from the public wished to speak at the Public Hearing. Seeing none he closed the Public Hearing at 7:37 pm.

TOWN OFFICERS: None.

#### **MOTIONS, ORDERS, AND RESOLUTIONS**

##### **Order no. FY 16-107**

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

**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10, ACCEPTS THE FOLLOWING REAPPOINTMENT BY THE MAYOR TO THE HISTORICAL COMMISSION: CHRISTOPHER MILLER –THREE YEAR TERM TO EXPIRE JUNE 30, 2018.

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

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 16 -107.

***Order no. FY 16-113***

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

**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL TAKE FROM THE TABLE ORDER NO. FY 16-104 “THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESOLUTION TITLED “RESOLUTION RELATIVE TO MUNICIPAL LIQUOR REGULATION” WHICH WAS TABLED AT THE DECEMBER 16, 2015 TOWN COUNCIL MEETING.

**Resolution Relative to Municipal Liquor Regulation**

WHEREAS, The Town of Greenfield has a long history of efficient and effective management of liquor licenses including legislatively approved licenses in excess of the quota system; and

WHEREAS, The Town of Greenfield has an able License Commission and Public Safety Commission with long and cooperative relationships with the ABCC; and

WHEREAS, The Town of Greenfield’s Sustainable Master Plan calls for the expansion of nightlife especially in the Down Town area as a way to attract business and young professionals; and

WHEREAS, the safe and well-regulated sale alcohol is a key driver for business expansion geared to meeting the goals of the Greenfield Master Plan; and

WHEREAS, Greenfield which serves as the seat of Franklin County has long been at or beyond its allowable limit under the quota system, while surrounding communities use far below or none of their allotted licenses; and

WHEREAS, the honorable Governor Charles Baker has proposed legislation which would give municipalities control over the number of liquor licenses in each community; and

WHEREAS, as this legislation was filed after a long and searching dialogue with municipalities about regulations which unduly burden cities and towns; and

WHEREAS, cities such as Boston have inequitably recently received increases of five new unencumbered licenses; and

WHEREAS, the Town of Greenfield has previously been denied an application for four unencumbered liquor licenses designed to spur growth in our downtown; and

WHEREAS, some communities including Haverhill have no caps for restaurant licenses without problem; and

WHEREAS, the people of Greenfield and Franklin County deserve and are entitled by the rights of equanimity to the same tools of economic development as our eastern sisters; and

WHEREAS, the only benefit to preserving state control of the quota system is to preserve the parochial interests of a current license holders over the will of the many; and

WHEREAS, no other industry which is regulated by the Commonwealth has a cap or quota system in restraint of trade; and

WHEREAS, this has long been a grievance of our community and others like us.

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

1. Calls upon the General Court to adopt the Governor’s proposed legislation to give control over the number of liquor licenses issued in Greenfield to the Town of Greenfield.

2. Shall cause a copy of this resolution to be presented to the Honorable Representative and Senator for the Town of Greenfield in the General Court, to his Excellency the Governor of the Commonwealth of Massachusetts, and the Franklin County Selectman’s Association and the Massachusetts Municipal Association for distribution to their members.

**DISCUSSION:** Councilor Ricketts stated the Economic Development Committee forwarded a unanimous positive recommendation for approval. Vice-President Mass spoke regarding the intention for proposing the resolution. Councilor Stempel requested the following friendly amendments to the language in the resolution: Delete “Down Town” and insert “downtown” in the third paragraph; insert “of” after the word “sale” in the forth whereas; delete “to” and insert “towards” in the forth whereas.

It was unanimously,

**VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL TAKE FROM THE TABLE ORDER NO. FY 16-104 “THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESOLUTION TITLED “RESOLUTION RELATIVE TO MUNICIPAL LIQUOR REGULATION” WHICH WAS TABLED AT THE DECEMBER 16, 2015 TOWN COUNCIL MEETING AS AMENDED.

**Resolution Relative to Municipal Liquor Regulation**

WHEREAS, The Town of Greenfield has a long history of efficient and effective management of liquor licenses including legislatively approved licenses in excess of the quota system; and

WHEREAS, The Town of Greenfield has an able License Commission and Public Safety Commission with long and cooperative relationships with the ABCC; and

WHEREAS, The Town of Greenfield’s Sustainable Master Plan calls for the expansion of nightlife especially in the **downtown** area as a way to attract business and young professionals; and

WHEREAS, the safe and well-regulated sale **of** alcohol is a key driver for business expansion geared **towards** meeting the goals of the Greenfield Master Plan; and

WHEREAS, Greenfield which serves as the seat of Franklin County has long been at or beyond its allowable limit under the quota system, while surrounding communities use far below or none of their allotted licenses; and

WHEREAS, the honorable Governor Charles Baker has proposed legislation which would give municipalities control over the number of liquor licenses in each community; and

WHEREAS, as this legislation was filed after a long and searching dialogue with municipalities about regulations which unduly burden cities and towns; and

WHEREAS, cities such as Boston have inequitably recently received increases of five new unencumbered licenses; and

WHEREAS, the Town of Greenfield has previously been denied an application for four unencumbered liquor licenses designed to spur growth in our downtown; and

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WHEREAS, the people of Greenfield and Franklin County deserve and are entitled by the rights of equanimity to the same tools of economic development as our eastern sisters; and

WHEREAS, the only benefit to preserving state control of the quota system is to preserve the parochial interests of a current license holders over the will of the many; and

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

1. Calls upon the General Court to adopt the Governor’s proposed legislation to give control over the number of liquor licenses issued in Greenfield to the Town of Greenfield.
2. Shall cause a copy of this resolution to be presented to the Honorable Representative and Senator for the Town of Greenfield in the General Court, to his Excellency the Governor of the Commonwealth of Massachusetts, and the Franklin County Selectman’s Association and the Massachusetts Municipal Association for distribution to their members.

President Allis stated requested information had not been received relating to the financial implications of this MGLC. Therefore, the Town Council could not consider the issue. The Ways and Means Committee had recommended leaving the item on the Table until the February meeting.

**Order no. FY 16-114**

**MOTION:** On a motion by Councilor Lobik, second by Councilor Mass, it was unanimously, **DEFEATED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL TAKE FROM THE TABLE ORDER NO. FY 16-103 “THAT THE GREENFIELD TOWN COUNCIL ACCEPTS MASSACHUSETTS GENERAL LAW CHAPTER 41 SECTION 100 B AS ATTACHED (EXHIBITA)” WHICH WAS TABLED AT THE DECEMBER 16, 2015 TOWN COUNCIL MEETING.

**EXHIBIT A**

Section 100B. Any city operating under a Plan D or Plan E charter which accepts this section by the affirmative vote of two thirds of all the members of its city council, and any other city which accepts this section by a majority vote of its city council with the approval of its mayor, and any town which accepts this section by a majority vote of its inhabitants at an annual town meeting or a special town meeting, may, upon written application by any of its police officers or fire fighters retired either before or after the acceptance of this section under a general or special law specifically relating to retirement for accidental disability, except a special law applicable to one person, or in the event of the death of any such police officer or fire fighter, upon written application by his widow or, if he leaves no widow, by his next of kin, indemnify, out of any funds appropriated for the purposes of this section, such police officer or fire fighter or, in the event of his death, his widow, or if he leaves no widow, his next of kin, for all reasonable hospital, medical and surgical,

chiropractic, nursing, pharmaceutical, prosthetic and related expenses and reasonable charges for podiatry incurred by such police officer or fire fighter after his retirement; provided, however, that no person shall be indemnified under this section unless a majority of the members of a panel consisting of (a) the chairman of the retirement board of the city or town, (b) the city solicitor, town counsel or other officer having similar duties or a person designated in writing by such solicitor, counsel or officer to act for him, and (c) such physician as the city or town manager or, if there is none, the mayor or selectmen in writing appoint shall, upon receipt from the applicant of due proof, certify: (1) that the expenses for which indemnification is sought were the natural and proximate result of the disability for which the police officer or fire fighter was retired; (2) that such expenses were incurred after the acceptance of this section; (3) that the hospital, medical and surgical, chiropractic, nursing, pharmaceutical, prosthetic and related expenses and reasonable charges for podiatry to which such expenses relate were rendered within six months before the filing of the application; (4) that such expenses were in no ways attributable to the use by the police officer or fire fighter of any intoxicating liquor or drug or to his being gainfully employed after retirement or to any other willful act or conduct on his part; and (5) that such expenses are reasonable under all the circumstances.

**Order no. FY 16-108**

Financial Order 16-23

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

**MOVED:** THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THAT THE FOLLOWING AMOUNTS BE APPROPRIATED TO HELP UNDERWRITE THE PURCHASE OF A LOADER:

- \$16,000 FROM WATER RETAINED EARNINGS
- \$16,000 FROM SEWER RETAINED EARNINGS

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

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 16 -108, Financial Order 16-23.

**Order no. FY 16-109**

Financial Order 16-24

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

**MOVED:** THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THAT \$14,500 BE APPROPRIATED FROM FREE CASH TO PROVIDE MATCHING FUNDS FOR THE MASSACHUSETTS CULTURAL COUNCIL ADAMS GRANT FOR FY16.

**DISCUSSION:** Councilor Lobik stated the Ways and Means Committee forwarded a majority positive, 4 yes and 1 no, recommendation for approval. Discussion included the following:

- This was a request for Arts funding.
- This request supported the Downtown Cultural District and businesses.

It was by majority, 1 no,

**VOTED:** TO APPROVE ORDER NO. FY 16 -109, Financial Order 16-24.

**Order no. FY 16-110**

Financial Order 16-25

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

**MOVED:** THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THAT \$25,000 BE APPROPRIATED FROM FREE CASH TO PROVIDE MATCHING FUNDS FOR THE COMMUNITY CLEAN ENERGY RESILIENCY INITIATIVE GRANT FOR A PV ARRAY AND STORAGE SYSTEM AT THE GREENFIELD HIGH SCHOOL.

**DISCUSSION:** Councilor Lobik stated the Ways and Means Committee forwarded a unanimous positive recommendation for approval. It was noted this would save the Town approximately 1.6 Million dollars over a 20 year period.

It was unanimously, -

**VOTED:** TO APPROVE ORDER NO. FY 16 -110, Financial Order 16-25.

**Order no. FY 16-111**

Financial Order 16-28

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

**MOVED:** THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THAT THE SUM OF \$350,000 BE APPROPRIATED FOR THE PURPOSE OF DESIGN DEVELOPMENT FOR A NEW SENIOR CENTER AND TO MEET SAID APPROPRIATION THE TREASURER WITH THE APPROVAL OF THE MAYOR IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$350,000, PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 7 (21) 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.

**DISCUSSION:** Councilor Lobik stated the Ways and Means Committee forwarded a unanimous positive recommendation for approval. Discussion was held regarding:

- The design process, proposed structure, and layout of the one (1) story building.
- A multi use building would save money for the town.
- The Master Plan recommended a dedicated space for community use.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 16 -111, Financial Order 16-28.

**Order no. FY 16-113**

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

**MOVED:** THAT IT BE ORDERED THAT THE TOWN COUNCIL APPROVES THE GRANTING OF AN EASEMENT OVER PROPERTY LOCATED ON MAP 24 BLOCK 38 TO PROVIDE PARKING FOR THE TENANTS RESIDING IN THE PROPERTY LOCATED ON MAP 24 BLOCK 39.

**DISCUSSION:** Councilor Ricketts stated the Economic Development Committee forwarded a unanimous positive recommendation for approval.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 16 -113.

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

**REPORTS OF COMMITTEES**

**APPOINTMENTS AND ORDINANCE COMMITTEE**- Chairperson Maloni stated the Appointment and Ordinance Committee would need to reconsider their meeting date.

**WAYS AND MEANS COMMITTEE** – It was noted the Ways and Means Committee would meet on the third (3<sup>rd</sup>) Wednesday of the month, prior to Town Council meetings, at 6 pm at GCTV-15.

**ECONOMIC DEVELOPMENT COMMITTEE** – Chairperson Ricketts noted the Economic Development Committee would meet on the second (2<sup>nd</sup>) Tuesday of the month at 5:30 pm at 20 Sanderson Street.

**COMMUNITY RELATIONS AND EDUCATION COMMITTEE** – Chairperson Burge announced the Community Relations and Education Committee had yet to meet but would discuss the meeting schedule at their meeting on Monday, January 25, 2016, 6:00 pm, 114 Main Street.

**UNFINISHED BUSINESS:** None.

**OLD BUSINESS:** None.

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

- \$20,000 for implementation of Phase 1 of a signage program as developed under the “Wayfunding” grant
- Appropriate \$152,040 from general stabilization to replace the amount of circuit breaker funds that was swept out of the account at the direction of the DOR at FY15 year-end
- That the *Town of Greenfield* appropriate the sum of up to **FIVE MILLION SEVEN HUNDRED FIFTY THOUSAND AND NO (\$5,750,000) DOLLARS** for **WINDOW AND BOILER REPLACEMENT AND ROOF REPAIRS AT THE FEDERAL STREET SCHOOL, LOCATED AT 125 FEDERAL STREET**, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, said sum to be expended under the direction of the School Building Committee, and to meet said appropriation the Treasurer with the approval of the Mayor is authorized to borrow said sum under M.G.L. Chapter 44, or any other enabling authority; that the Town of Greenfield acknowledges that the Massachusetts School Building Authority’s (“MSBA”) grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town of Greenfield incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town of Greenfield; provided further that any grant that the Town of Greenfield may receive from the MSBA for the Project shall not exceed the lesser of (1) 77.47 percent ( %) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town of Greenfield and the MSBA.

**MOTIONS FOR RECONSIDERATION:** None.

**ADJOURNMENT:** On a motion by Councilor Ricketts, second by Councilor Maloni, it was unanimously **VOTED:** TO ADJOURN THE MEETING AT 8:21 P.M.

A true copy,

Attest: \_\_\_\_\_  
Deborah J. Tuttle, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

GCTV-15  
Regular Meeting  
January 20, 2016

1. Sund, Verne	P					
2. Lobik, John	P					
3. Allis, Brickett	P					
4. Muzyka-Pyfrom, Wanda	P					
5. Wainstein, Robert	P					
6. Burge, Maria	P					
7. Childs, William	P					
8. Stempel, Ashley	P					
9. Leonovich, Daniel	P					
10. Mass, Isaac	P					
11. Renaud, Karen	P					
12. Ricketts, Penny	P					
13. Maloni, Mark	P					