

GREENFIELD TOWN COUNCIL

Regular Meeting Minutes

June 15, 2016

GCTV-15, 393 Main Street

7:00 pm

CALL TO ORDER: Meeting was called to order at 7:06 p.m. by President Allis.

President Allis 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. Councilors Sund and Wainstein were absent.

ALSO PRESENT: Mayor William Martin; Director of Municipal Finance and Administration Marjorie L. Kelly; Town Clerk Deborah J. Tuttle; GCTV-15 staff; Aviva Luttrell, *the Recorder*; and members of the public.

The Pledge of Allegiance was held.

A moment of silence was held for the Orlando nightclub victims and Sergeant Jacob Garmalo.

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

VOTED: TO ACCEPT THE TOWN COUNCIL MINUTES OF MAY 18, 2016.

PUBLIC COMMENT: The following members of the public spoke:

- Rick Roy, Recreation Department Chairperson, 208 Chapman Street, spoke of the Greenfield Criterium to be held on Sunday June 19, 2016, see attached.
- Nancy Hazard, 3 Spring Terrace, Rights of Nature, spoke in support of the proposed ordinance banning single-use expandable polystyrene foam packaging. She stated the ordinance was easy to understand and well written.
- Louise Amyot, 56 Madison Circle, Rights of Nature, thanked the Appointment and Ordinance Committee for all the work done on the proposed ordinance banning single-use expandable polystyrene foam packaging. She stated the ordinance served as a good start.

PUBLIC HEARINGS: None.

COMMUNICATIONS:

MAYOR: Mayor Martin spoke of the following:

- Regarding the budget cut by the Town Council of \$18,000 to the School Department trash removal: Town Administration has determined the reduction would actually cost the town between \$35,000 and \$40,000. It has been decided that the trash removal contract would remain the same and other less costly items would be found and cut.
- Regarding the budget cut by the Town Council of \$2,500 for first aid kits in Central Services: the reduction would cost the town approximately \$5,000 in addition to the original reduction. Therefore other sources would be found to reduce the \$2,500 as well as upgrading the AED's.

Mayor Martin responded to Councilors questions regarding the following:

- Information would be provided regarding un-finalized differences and cost delineations for one time cost versus ongoing cost for the town and schools.
- Cost and requirements for privatization of municipal rubbish pickup.
- Dispatch contract was getting close to finalization.

- Lists of grants received and expended by the town for this fiscal year.

Ms. Kelly spoke of the end of the estimated Fiscal Year transactions as follows:

- Estimated Reserve Fund Transfer totaling approximately \$26,000.
- Estimated Interdepartmental Transfers totaling approximately \$42,000.
- Expected Intradepartmental Transfers from the following departments:
 - Registrars
 - Police Department
 - Department of Public Works
 - Health Department

Ms. Kelly stated an end of year financial report would be filed with the Town Clerk. She also reviewed revenues through the end of May, although half of the town State Aid had yet to be received.

SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE: Vice-President Mass stated the Superintendent was not in attendance due to interviews by the School Department for the new Special Education Director.

TOWN OFFICERS: None.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 16-171

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 REAPPOINTMENTS BY THE MAYOR TO THE FOLLOWING BOARD OR COMMISSIONS TERM TO EXPIRE JUNE 30, 2019 UNLESS OTHERWISE NOTED:

Board of Health	Steve Adam
Board of Registrars	Eva Carrier
Cable Advisory Board	Michael Muller (Alternate)
Constables	F. Peter Clarke and Joseph LaChance
Commission on Disability Access	Lynne Kelley
Council on Aging	Janice Colbert, Mildred Grant, Dorothy Gagnon, and Julie Margolis
Greenfield Local Cultural Council	Kenneth Murphy
Greenfield Historical Commission	Douglas Cloutier and Peter Miller
Greenfield Housing Authority	Elizabeth Serrano -5 year term to expire 6-30-21 Butch Hawkins -Governors Appointee term expires 4/28/19
Greenfield Public Library Trustees	Doris Cowdrey and John Howland
Greenfield Board of Licensing Commissioners	Robert Wolanske
Human Rights Commission	Lewis Metaxas, Theodore Moser and Philippe Simon
Parking and Traffic Commission	Jean Wall and Sebastian Gutwein
Planning Board	Virginia Desorgher
Planning & Construction	Derek Helie and Joseph Ruggeri
Recreation Commission	Myrt Jaquay-Wilson (Alternate) and Barbara Zaccheo
Soldier's Memorial Trustee	Richard Kinner and Mary Poirier
Sustainability Greenfield Implementation Committee	Nancy Hazard and John Lunt
Taskforce on Domestic Violence	Ilana Gerjuoy
Youth Commission	Terry Adams

Zoning Board of Appeals
Franklin County Tech School Committee

Mark Maloney
Paul Doran

DISCUSSION: Councilor Maloni stated the Appointment and Ordinance Committee forwarded unanimous positive recommendation for approval. President Allis accepted a friendly amendment, made by Councilor Maloni, to delete Theodore Moser's name from reappointment to the Human Rights Commission. It was noted Mr. Moser had sent an email to the Mayor requesting no reappointed.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 16 -171, AS AMENDED.

Order no. FY 16-173

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10, ACCEPTS THE FOLLOWING APPOINTMENTS BY THE MAYOR TO THE COMPENSATION ADVISORY BOARD: Donna Childs – term limit project completion.

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

It was unanimously, Councilor Childs abstained,

VOTED: TO APPROVE ORDER NO. FY 16 -173.

Order no. FY 16-174

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 APPOINTMENTS BY THE MAYOR TO THE CULTURAL DISTRICT COMMITTEE: Sarah Kanabay – term to expire when the project is complete.

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

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 16 -174.

Order no. FY 16-175

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 APPOINTMENTS BY THE MAYOR TO THE LOCAL CULTURAL COMMISSION: Maureen Pollock – three year term to expire June 30, 2019.

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

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 16 -175.

Order no. FY 16-172

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 APPOINTMENTS BY THE MAYOR TO THE AGRICULTURAL COMMISSION:

- Dr. Robert Sagor – 3 year term to expire June 30, 2019
- Denise Leonard – 3 year term to expire June 30, 2019

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

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 16 -172.

Order no. FY 16-176

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 APPOINTMENTS BY THE MAYOR TO THE GREENFIELD YOUTH COMMISSION: Patty Morey Walker - three year term to expire June 30, 2019.

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

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 16 -176.

Order no. FY 16-177

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 APPOINTMENTS BY THE MAYOR TO THE GREENFIELD ZONING BOARD OF APPEALS: Andrew Killeen - three year term to expire June 30, 2019.

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

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 16 -177.

Order no. FY 16-178

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 APPOINTMENTS BY THE MAYOR TO THE GREENFIELD HISTORICAL COMMISSION: Robert Moorhead – Alternate; three year term to expire June 30, 2019.

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

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 16 -178.

Order no. FY 16-182

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

MOVED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THAT THE INTER-MUNICIPAL AGREEMENT BETWEEN DEERFIELD, MONTAGUE, AND GREENFIELD FOR ANIMAL CONTROL SERVICES AUTHORIZED UNDER MGL.CHAPTER 40 §4A BE APPROVED.

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

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 16 -182.

Councilor Ricketts read the attached prepared statement. Councilors Mass, Renaud, Burge, Maloni and Stempel made brief statements of revolt towards the actions Councilor Ricketts had been the victim of and announced their support of Councilor Ricketts.

Order no. FY 16-180

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESOLUTION TITLED “RESOLUTION OF RESPECT.”

RESOLUTION OF RESPECT

The City of Greenfield pledges from this day forward to do our best to combat prejudice and to stop those who, because of hate or ignorance, would hurt any business or person and violate their civil rights. We vow to speak up, speak out and step up against all prejudice, bullying and discrimination. We vow to support our businesses and residents who are targets of hate.

Whereas, Bullying in our businesses is a pervasive problem that can have negative consequences for the community and for the right of employees to work in a safe environment without fear, and one that can have negative lifelong consequences, both for people who bully and for their targets; and

Whereas, Bullying is comprised of direct behaviors such as teasing, taunting, threatening, hitting, and stealing that are initiated by one or more people against a target, as well as indirect behaviors such as spreading rumors and acting in other ways to cause a business to be financially burdened, fearing for their safety as well as their families.

Our goal is to create an inclusive community by promoting unity and respect, and empower businesses and people to reduce bullying, name-calling and other expressions of bias. Greenfield has no place for hate.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 16 -180.

Order no. FY 16-179

Financial Order 16-54

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 \$48,500 BE APPROPRIATED FROM THE FREE CASH TO FUND 2531 TO PROVIDE MATCHING FUNDS BY JUNE 30, 2016.

DISCUSSION: President Allis summarized the energy efficient upgrades this appropriation would be applied to.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 16 -179, Financial Order 16-54.

Order no. FY 16 -170

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AMENDS THE CODE OF THE TOWN OF GREENFIELD BY ADDING PROPOSED ORDINANCE, CHAPTER 0028, BANNING SINGLE-USE EXPANDABLE POLYSTYRENE FOAM PACKAGING AS ATTACHED HERETO AND FURTHER AMENDS THE TABLE OF CONTENTS AND INDEX OF CONTENTS 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 0028

ORDINANCE BANNING SINGLE-USE EXPANDABLE POLYSTYRENE FOAM PACKAGING

0028 - Section 1. Definitions.

- a) "Packaging" shall mean all food and beverage related wrappings, bags, boxes and containers.
- b) "Styrofoam" shall mean single-use expandable polystyrene foam products including cups, bowls, plates, takeout containers and trays.
- c) "Retail Food and/or Beverage Establishment" shall mean any restaurant, food operation public or private, or any other place, other than a private residence, where food and drink is prepared or served, with or without charge for consumption on or off the premises, including any catering establishment or any eating place, whether fixed or mobile, restaurant, bar, cafe, cafeteria, public or private school, hospital, private club, coffee shop, sandwich stand, or any other type of food service operation.
- d) "Prepared" shall mean ready for immediate consumption.

0028 - Section 2. Prohibition.

No retail food and/or beverage establishment located and doing business within the Town of Greenfield shall sell or convey food or beverage directly to consumers within the Town of Greenfield if such food and/or beverage is placed, packaged, or wrapped in Styrofoam.

0028 - Section 3. Regulations.

The Department of Health of the Town of Greenfield may issue and promulgate such rules and regulations as may be necessary to implement and carry out the provision of this law.

0028 - Section 4. Enforcement.

- a) The Health Department or any entity serving as such or their authorized agent may enter any retail food or beverage establishment in the Town of Greenfield where there is just cause to suspect the use of any packaging prohibited by this ordinance and abate or cause to be abated such use.

0028 - Section 5. Penalties.

Any retail food and/or beverage establishment failing to comply with Section 2 of this ordinance shall be penalized by a noncriminal disposition as provided in MGL c. 40, §21D of not more than \$25.00 for each day such violation continues to exist.

0028 - Section 6. Effective Date.

This ordinance shall become effective four months from the date of passage.

DISCUSSION: Councilor Maloni stated the Appointment and Ordinance Committee forwarded a unanimous positive recommendation for approval. He thanked Councilor Renaud for the drafts of language she supplied for consideration which were written in understandable language. He noted the Town Council had not yet received a legal opinion from the Town Attorney; if the opinion was received with recommended changes, the Town Council would amend the ordinance. Vice-President Mass suggested the date of effect be changed to one (1) year to allow business time to make accommodations for the change.

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

MOVED: TO AMEND THE ORDINANCE BY STRIKING “4 MONTHS” AND REPLACE IT WITH THE WORDS “1 YEAR” IN THE LAST SECTION.

DISCUSSION: Councilor Renaud and Maloni expressed reasons they would not vote in favor of the amendment and requested the ordinance be approved as proposed.

It was by majority, 3 yes,

DEFEATED: TO AMEND THE ORDINANCE BY STRIKING “4 MONTHS” AND REPLACE IT WITH THE WORDS “1 YEAR” IN THE LAST SECTION.

DISCUSSION: Vice-President Mass stated the proposed ordinance required entities which provided free food, such as church meals, the Salvation Army, and food served during a crisis situation, to be in compliance and not use polystyrene/styrofoam and not containers. He suggested that when the citizens voted on the ballot question this was not the intent of the vote.

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

MOVED: TO AMEND THE ORDINANCE BY STRIKING THE WORDS “OR WITHOUT” IN SECTION 28-1C.

DISCUSSION: Comments included the following:

- Most faith based organizations use biodegradable packaging already.
- Styrofoam products cost 1/3 of what paper products cost.
- Cost increases to local businesses trickle down to cost increases for customers.
- Problem interfering with how private sector businesses are run.
- This ordinance sets the tone for commitment to the environment.
- If styrofoam was allowed there is still an indirect cost with the product.

It was by majority, 2 yes,

DEFEATED: TO AMEND THE ORDINANCE BY STRIKING THE WORDS “OR WITHOUT” IN SECTION 28-1C.

It was by majority, 2 no,

VOTED: TO APPROVE ORDER NO. FY 16 -170.

Order no. FY 16-181

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

VOTED: THAT IT BE ORDERED, THAT THE TOWN COUNCIL FORWARD THE ATTACHED EXHIBIT A, TO NAME THE YET TO BE CONSTRUCTED COMMUNITY CENTER THE “JOHN ZON COMMUNITY CENTER” AND FORWARD SAID REQUEST TO THE PLANNING AND CONSTRUCTION COMMITTEE FOR A HEARING AND RECOMMENDATION PURSUANT TO THE TOWN OF GREENFIELD CODE, CHAPTER 104.

PRESENTATION OF PETITIONS AND SIMILAR PAPERS None.

REPORTS OF COMMITTEES

APPOINTMENTS AND ORDINANCE COMMITTEE- Chairperson Maloni stated the committee would hold a Public Hearing in July for the proposed amendment to the Sustainable Greenfield Implementation Committee and discuss the proposed Wetland Ordinance amendments.

COMMUNITY RELATIONS AND EDUCATION COMMITTEE – Chairperson Burge encouraged Councilors to forward topics for discussion to President Allis.

ECONOMIC DEVELOPMENT COMMITTEE – Chairperson Ricketts hoped the Planning Board would forward the proposed amendments to the Zoning Ordinance for Accessory Dwelling Units.

UNFINISHED BUSINESS: None.

OLD BUSINESS: None.

NEW BUSINESS:

Order no. FY 15 -183

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

VOTED: THAT THE TOWN COUNCIL OF GREENFIELD HEREBY INITIATES THE FOLLOWING ZONE CHANGE IN ACCORDANCE WITH M.G.L.C 40A SECTION 5: AMEND THE CODE OF THE TOWN OF GREENFIELD, ZONING ORDINANCE, CHAPTER 200, BY ADDING SECTION 200-7.18 “ACCESSORY DWELLING UNIT” AS ATTACHED HERETO.

President Allis stated the July Town Council meeting would be held on Wednesday, July 13, 2016, 7:00 pm, Planning Office, 114 Main Street. The Ways and Means Committee would meet on the same night at 6:00 PM at the same location. The focus of these meetings would be to finalize Fiscal Year 2016 finances.

MOTIONS FOR RECONSIDERATION: None.

ADJOURNMENT: On a motion by Councilor Ricketts, second by Councilor Mass, 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 21, 2016

1. Sund, Verne	A					
2. Lobik, John	P					
3. Allis, Brickett	P					
4. Muzyka-Pyfrom, Wanda	P					
5. Wainstein, Robert	A					
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					