

GREENFIELD TOWN COUNCIL

Regular Meeting Minutes

October 19, 2016

GCTV-15, 393 Main Street

7:00 pm

**CALL TO ORDER:** Meeting was called to order at 7:30 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 Wainstein and Renaud were absent.

**ALSO PRESENT:** Mayor William Martin; Town Clerk Deborah J. Tuttle; Director of Municipal Finance and Administration Marjorie Lane Kelly; Town Accountant Elizabeth Braccia; Recreation Director Christ Moore; Greenfield School Acting Superintendent Elizabeth Pratt; School Business Manager Howard Barber; DPW Director Donald Ouellette; GCTV-15 staff; Aviva Luttrell, *the Recorder*; and members of the public.

The Pledge of Allegiance was held.

**ACCEPTANCE OF MINUTES:** None.

**PUBLIC COMMENT:** The following members of the public spoke:

- Robert Sunderland, 11 Linden Ave, encouraged the Town to make it a priority to adjust the traffic light at the intersection at Main Street and Federal Street. He also requested a status update for the proposed parking garage.
- Tom Bevacqua, GEA President, Greenfield Teacher, spoke in favor of voting no on Question 2.
- Don Ouellette, Newell Pond Road, reminded the Town Council of the Second Annual DPW Tour on Saturday, October 22, 2016 beginning at 9:00 am at the town yard on Wells Street.
- Diane Jenson-Olszewski, Retired Educator, spoke in favor of voting no on Question 2.
- Tara Cloutier, 86 Meridian Street, Greenfield Teacher, spoke in favor of voting no on Question 2.
- Michael Sustuck, 8 Arch Street, Greenfield Teacher, spoke in favor of voting no on Question 2.
- Donovan Eastman, 7 Oak Street, spoke in favor of voting no on Question 2.
- Laura Baker, 22 Cleveland Street, spoke in favor of voting no on Question 2.
- Dorothy McIver, 88 Columbus Ave, spoke in favor of voting no on Question 2.

**PUBLIC HEARINGS:** President Allis opened the Public Hearing at 8:01 pm. Councilor Lobik read the Public Hearing notice: In accordance with Home Rule Charter, the Greenfield Town Council will hold a public hearing on Wed., Oct. 19, 2016, at 7:00 p.m. at GCTV-15, 393 Main St. to receive public input on the following:

- Appropriate \$5,471 from Building Maintenance Stabilization for the first month's payment of a contract to maintain the new playing fields at Greenfield High School.
- Appropriate \$27,355 from Building Maintenance Stabilization for the payment of a contract to maintain the new playing fields at Greenfield High School.
- Repurposing of funds, \$19,500 Capital Article for North Street parking, to provide funding for the lease of parking from Blessed Sacrament Church and accompanying improvements to the area.
- \$17,500 be appropriated from Parking Receipts Reserved to change and install updated parking signage throughout the downtown in preparation for the return of the Franklin County Courthouse to the location on east Main Street.

- Transfer \$285,000 from Capital Stabilization for the repair and replacement of drainage, water lines, sewer inflow infiltration and paving of Silver Street
- \$14,500 be appropriated from General Stabilization to provide matching funds for the Massachusetts Cultural Council Adams Grant for FY17.

The Town Council will consider the same on Wed., Oct. 19, 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

President Allis asked if anyone from the public wished to speak; seeing none he stated the hearing would remain open.

Councilor Lobik held the following second reading:

- Appropriate \$5,471 from Building Maintenance Stabilization for the first month's payment of a contract to maintain the new playing fields at Greenfield High School.
- Appropriate \$27,355 from Building Maintenance Stabilization for the payment of a contract to maintain the new playing fields at Greenfield High School.
- Repurposing of funds, \$19,500 Capital Article for North Street parking, to provide funding for the lease of parking from Blessed Sacrament Church and accompanying improvements to the area.
- \$17,500 be appropriated from Parking Receipts Reserved to change and install updated parking signage throughout the downtown in preparation for the return of the Franklin County Courthouse to the location on east Main Street.
- Transfer \$285,000 from Capital Stabilization for the repair and replacement of drainage, water lines, sewer inflow infiltration and paving of Silver Street
- \$14,500 be appropriated from General Stabilization to provide matching funds for the Massachusetts Cultural Council Adams Grant for FY17.

### **COMMUNICATIONS:**

MAYOR: Mayor Martin spoke of:

- Greenfield High School receiving a Gold Certification award for energy efficiency.
- School Administration move.
- The final audit for the construction of the High School should be available by the end of the year. .
- There will be State 9C cuts. Town department heads will be asked for ways they can reduce their budgets.
- Local Aid over the next few years will either be stagnant or lower.
- Ongoing negotiations with the State relating to the Parking Garage. Grant awards should be announced by the State in January.
- Assessment of the former School Administration Building is underway and a plan for the site will be forthcoming.

SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE: Acting Superintendent Pratt spoke of the following:

- Successful move of the School Administration building. She thanked all who assisted with the move and extended a special thanks to Facilities Director Alan Schmidt, Director of Technology Carole Holzberg and Superintendents Secretary Tammy Cooke.
- MCAS results and data testing for this school year.

Questions from the Town Council included:

- When would the Town Council be able to broadcast meetings live from the High School Auditorium?
- Requested a total cost associated with the School Administration move when complete.
- The south end of the Greenfield High School track needed repair.

TOWN OFFICERS: None.

President Allis asked if anyone from the public wished to speak at the Public Hearing, seeing none he closed the hearing at 8:23 pm.

**MOTIONS, ORDERS, AND RESOLUTIONS**

**Order no. FY 17-043**

**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 APPOINTMENT BY THE MAYOR TO THE OLIVER SMITH WILL TRUST: RICHARD SHORTELL –REMAINDER OF A THREE YEAR TERM EXPIRING, JUNE 30,2018 (TO FILL THE VACANCY LEFT BY TIMOTHY STRAHAN)

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

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 17 -043.

**Order no. FY 17-044**

**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 APPOINTMENT BY THE MAYOR TO THE COMMUNITY CENTER BUILDING COMMITTEE: MARY WILLIFORD –TERM TO EXPIRE UPON COMPLETION OF THE PROJECT.

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

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 17 -044.

**Order no. FY 17-045**

**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 APPOINTMENT BY THE MAYOR TO THE PLANNING AND CONSTRUCTION COMMITTEE: SUSAN HOLLINS AS THE SEVENTH MEMBER APPOINTED ANNUALLY BY THE SCHOOL COMMITTEE.

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

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 17 -045.

President Allis stated directly after the next motion he would entertain a motion to table because the Town Council needs 12 Councilors to vote in the affirmative and there are only 11 in attendance. This will be placed on the November agenda for consideration.

**Order no. FY 17-046**

***Financial Order 17-16***

**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 SUM OF \$5,471 BE APPROPRIATED FROM BUILDING MAINTENANCE STABILIZATION FOR THE FIRST MONTH'S PAYMENT OF A CONTRACT TO MAINTAIN THE NEW PLAYING FIELDS AT GREENFIELD HIGH SCHOOL.

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

**TABLED:** THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THAT THE SUM OF \$5,471 BE APPROPRIATED FROM BUILDING MAINTENANCE STABILIZATION FOR THE FIRST MONTH'S PAYMENT OF A CONTRACT TO MAINTAIN THE NEW PLAYING FIELDS AT GREENFIELD HIGH SCHOOL.

**Order no. FY 17-047**

***Financial Order 17-17***

**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 SUM OF \$27,355 BE APPROPRIATED FROM BUILDING MAINTENANCE STABILIZATION FOR THE PAYMENT OF A CONTRACT TO MAINTAIN THE NEW PLAYING FIELDS AT GREENFIELD HIGH SCHOOL.

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

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 17-047, FINANCIAL ORDER 17-17.

**Order no. FY 17-048**

***Financial Order 17-12***

**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 CAPITAL ARTICLE FOR NORTH STREET PARKING (4014.4990.5843) IN THE SUM OF \$19,500 BE TRANSFERRED TO PROVIDE FUNDING FOR THE LEASE OF PARKING FROM BLESSED SACRAMENT CHURCH AND ACCOMPANYING IMPROVEMENTS TO THE AREA.

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

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 17 -048, Financial Order 17-12.

**Order no. FY 17-049**

***Financial Order 17-18***

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

**MOVED:** THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THAT \$17,500 BE APPROPRIATED FROM PARKING RECEIPTS RESERVED TO CHANGE AND

INSTALL UPDATED PARKING SIGNAGE THROUGHOUT THE DOWNTOWN IN PREPARATION FOR THE RETURN OF THE FRANKLIN COUNTY COURTHOUSE TO THE LOCATION ON EAST MAIN STREET.

**DISCUSSION:** Councilor Lobik stated the Ways and Means Committee forwarded a unanimous positive recommendation. It was noted if citizens wanted to have input on how parking was regulated in Greenfield they should attend Parking Commission meetings.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 17 -049, FINANCIAL ORDER 17-18.

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

**VOTED:** TO SUSPEND THE TOWN COUNCIL RULES OF PROCEDURE 1261- 8E MEASURERS ONCE REJECTED.

**Order no. FY 17-050**

**Financial Order 17-20**

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

**MOVED:** THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THAT \$285,000 BE TRANSFERRED FROM CAPITAL STABILIZATION FOR THE REPAIR AND REPLACEMENT OF DRAINAGE, WATER LINES, SEWER INFLOW INFILTRATION AND PAVING OF SILVER STREET.

**DISCUSSION:** Councilor Lobik stated the Ways and Means Committee forwarded a split recommendation, 2 yes and 2 no. Councilor Mass stated he had been informed Fiscal Year 2017 was currently under budget therefore he would vote in favor of this proposal.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 17 -050, FINANCIAL ORDER 17-20.

**Order no. FY 17-051**

**Financial Order 17-21**

**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 GENERAL STABILIZATION TO PROVIDE MATCHING FUNDS FOR THE MASSACHUSETTS CULTURAL COUNCIL ADAMS GRANT FOR FY17.

**DISCUSSION:** Councilor Lobik stated the Ways and Means Committee forwarded a majority recommendation, 3 yes and 1 no.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 17 -051, FINANCIAL ORDER 17-21.

President Allis stated directly after the next motion he would entertain a motion to table because the Town Council needs 12 Councilors to vote in the affirmative and there are only 11 in attendance. This will be placed on the next agenda for consideration.

**Order no. FY 17-056**

**Financial Order 17-22**

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

**MOVED:** THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THAT \$174.91 BE APPROVED WITHIN THE FY17 DPW BUDGET TO PAY A PREVIOUS YEAR BILL.

**MOTION:** On a motion by Councilor Mass, second by Councilor Ricketts, it was, **TABLED** THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THAT \$174.91 BE APPROVED WITHIN THE FY17 DPW BUDGET TO PAY A PREVIOUS YEAR BILL.

***Order no. FY 17-052***

**MOTION:** On a motion by Councilor Maloni, second by Councilor Ricketts, it was, **MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AMEND THE CODE OF THE TOWN OF GREENFIELD AS WRITTEN IN THE STRIKETHROUGH DOCUMENT ATTACHED HERETO CHAPTER 83, JUNK DEALERS AND JUNK COLLECTORS, § 83-34 APPLICABILITY, AND FURTHER AMENDS THE INDEX OF THE CODE.



William F. Martin  
Mayor

City known as the Town of  
**GREENFIELD, MASSACHUSETTS**

**BOARD OF LICENSE COMMISSIONERS**

Town Hall • 14 Court Square • Greenfield, MA 01301  
Phone 413-772-1580 • Fax 413-772-1519  
LoriK@greenfield-ma.gov • www.greenfield-ma.gov

*Members:*  
Bernard, Randall (2018)  
Conti, Scott (2016)  
Corrinet, Philip (2017)  
Henry, Ruth (2017)  
Wolanske, Robert (2016)

**Memo**

Date: June 29, 2016

To: Town Council

RE: request for amendment of chapter 83 of the Town Code

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GREENFIELD, MASS  
2016 JUL 12 AM 9:50  
OFFICE OF THE  
TOWN CLERK

Dear Councilors,

At a duly scheduled meeting of the Board of License Commissioners it was unanimously voted to amend the applicability section §83-4 of the Junk Dealers and Junk Collectors ordinance in order to remove sale of used clothes from requiring a license by making the following amendment:

**§83-4. Applicability**

Anyone collecting, storing, dealing, or keeping a shop or yard for the purchase, sale, or barter of junk, old metals, or secondhand articles must first obtain a junk dealer and/or junk collector license from the Board of License Commissioners. This does not include pawn brokers or tag sales, which are regulated elsewhere, nor those dealing exclusively in secondhand books, prints, coins, or postage stamps, or used clothes.

The Board may issue different categories of junk dealer or junk collector licenses: i.e. for secondhand articles, for old metals, for junk/salvage yard or auto graveyard, "or any combination thereof".

Scott Conti  
Chairman, Board of License Commissioners



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

**DISCUSSION:** Councilor Maloni stated the Appointment and Ordinance Committee forwarded a unanimous positive recommendation. He noted this was a housekeeping issue to clarify the businesses who needed a junk dealer license.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 17 -052.

**Order no. FY 17-053**

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

**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AMENDS THE CODE OF THE TOWN OF GREENFIELD BY ADDING CHAPTER 179, PROPERTY MAINTENANCE ORDINANCE, AS ATTACHED HERETO AND FURTHER AMENDS THE TABLE 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 179**

**PROPERTY MAINTENANCE ORDINANCE**

**§ 179-1. Authority and Purpose.**

The intent of this ordinance is to protect and preserve public safety, security and quiet enjoyment of the residents of the City of Greenfield. The purpose is to eliminate nuisances affecting real property in the City of Greenfield. Conditions such as dilapidated buildings, overgrowth of vegetation, debris, trash, stagnant water cause and contribute to blight within the city and have an adverse affect on property values and may impair the public health and safety. This ordinance is meant to further the objectives of, and to act in concert with, and to supplement existing state or local laws.

**§ 179-2. Definitions.**

ABATE - Means to remove, stop, demolish or cure that which constitutes a public nuisance.

ENFORCEMENT OFFICER - Means one or more of the following: Inspector of Buildings and/or his/her designated agent; the Director of Public Health and/or his/her designated agent; the Fire Chief and/or his/her designated agent.

NUISANCE - Means any condition which falls below the standards established by this ordinance or any condition which constitutes a nuisance at common law or which is determined by the Board of Health or the Director of Public Health to constitute a nuisance pursuant to regulations adopted by them under statutory authority under MGL c. 111, section 122.

OWNER - Means any person entity, service company, property manager or real estate broker who alone or severally with others has legal title to any building or parcel of land, vacant or otherwise, and has care, charge or control of such a building or parcel of land, is a mortgagee in possession or has initiated the foreclosure process of such a building or parcel of land or is an agent, trustee or other person appointed by the courts and vested with possession or control of any such building or parcel of land, or is an officer or trustee of the association of unit owners of a condominium. Each such person or entity is bound to comply with the provisions of these minimum standards as if he/she/they were the owner.

PROPERTY - Means any real property, or portion thereof, or structure.

VACANT - Means any real property which is not being actively used or occupied and which has not been actively used or occupied within the preceding 90 days. This definition shall not apply to property which is being renovated or repaired or due to owner's seasonal absences.

### § 179-3. Property Standards, Maintenance and Security Requirements.

All property in the City of Greenfield shall be maintained in accordance with the following property standards:

- A. *General.* All property, whether occupied or vacant, shall be maintained in good repair in a safe and sanitary condition. All property shall be in compliance with all state sanitary codes, building codes and City of Greenfield ordinances concerning maintenance. The property shall be so maintained as to not have an adverse affect on the public health and safety or property value of adjacent or surrounding property, the public at large or public safety officials entering the property in the course of their public duties. The owner, as defined in this ordinance, shall maintain the property on a routine basis to ensure compliance.
- B. *Overgrowth and standing water.* All property shall be maintained free of unkempt vegetation and overgrowth of any plant or materials (e.g., decayed, dead or hazardous trees or shrubs) that may reasonably encourage, foster or enhance the possibility of infestation with rodents or other animals or insects. Maintenance shall include the regular mowing of lawns, pruning and/or trimming of trees and other shrubbery and upkeep of other landscape features. Overgrowth shall be considered anything 12 inches or taller. All property shall be maintained to prevent pools of water and free of standing or stagnant water.
- C. *Structures.* All structures, including any buildings, fences, storage sheds, or any portion thereof shall be maintained in a structurally sound condition, in good repair. All property shall be maintained free of extensive peeling, flaking or chipping paint.
- D. *Debris.* All property shall be kept free of litter, refuse, garbage, accumulations of debris, trash or junk of any kind except for closed receptacles intended for such use.
- E. *Security.* Every owner shall maintain every structure in a manner so that it is not open to the weather and, if vacant, so secured, pursuant to the state building and fire codes, so as to keep trespassers and children from entering the structure.

### § 179-4. Removal of Nuisance/Complaints/Orders to Abate.

- A. *Complaints.* Whenever a written complaint is made to the Board of Health, the Code Enforcement Officer, the police department or the fire department of the existence of a nuisance the board or officer shall promptly cause to be inspected the property on which the alleged nuisance exists.
- B. *Investigation.* If after inspecting the property on which the nuisance is reported, the board or officer declares the existence of a nuisance as defined herein, they may take enforcement action.
- C. *Order to abate.* The enforcement agent shall order the owner to abate any violation of the foregoing sections. Said order shall be served upon an owner in person, by registered mail, return receipt requested or by posting said notice at the site. The order shall require the owner

to take such action as may be necessary to abate the violation within 14 days of receipt of notice or of the date of posting, whichever is later.

**§ 179-5. Enforcement and Penalties.**

- A. Violations of any portion of this ordinance shall be punishable by a fine of \$100.00 per violation with each day the violation continues constituting a separate violation.
- B. The penalties provided herein shall not be construed to restrict the city from pursuing other legal remedies available.
- C. In addition to any other remedies available to the city, and as an alternative to initiating criminal proceedings, the enforcement officer may enforce the ordinance by noncriminal disposition pursuant to MGL c. 40, section 21D. The noncriminal fine for each violation shall be \$100.00 and each day a violation continues shall be considered a separate violation.
- D. Nothing in this ordinance shall abrogate the powers and or duties of municipal officials to act pursuant to any general statutory authority, including, without limitation, MGL c. 139 and MGL c. 143.

**§ 179-6. Severability.**

- A. If any section, subsection, sentence, clause or portion of this ordinance is for any reason held invalid or unconstitutional, each section shall be considered severable from the remainder of the ordinance and shall not affect the validity of the remaining portions thereof.
- B. Nothing in this ordinance is intended to, nor shall be construed to, diminish or limit the powers, authorities and duties of the Board of Health.

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

It was unanimously,

**DEFEATED:** TO APPROVE ORDER NO. FY 17 -053.

**Order no. FY 17-054**

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

**MOVED:** THAT IT BE ORDERED THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESOLUTION TITLED “RESOLUTION AGAINST LIFTING THE CAP ON COMMONWEALTH CHARTER SCHOOLS.”

**Resolution Against Lifting the Cap on Commonwealth Charter Schools  
Presented to Greenfield Town Council by Councilor Renaud**

**WHEREAS**, free public schools available to all students regardless of income, ability, need or English language proficiency are foundational to our democracy; and

**WHEREAS**, all of our students deserve high-quality public schools that teach the whole child, providing enrichment and addressing social and emotional needs in addition to core academic subjects; and

**WHEREAS**, local accountability for our public schools is necessary to ensure that schools are responsive to the needs of their communities; and

**WHEREAS**, Greenfield is losing over one million dollars per year to Commonwealth charter schools and public school districts across the state are losing more than \$450 million this year alone — a loss of funds that is undermining the ability of districts to provide all students with the educational services to which they are entitled; and

**WHEREAS**, Commonwealth charter schools are often approved over the objections of a majority of community residents and their elected officials and are not accountable to local elected officials once they are approved; and

**WHEREAS**, Commonwealth charter schools often fail to serve the same proportion of special needs students, low-income students and English language learners as the districts from which they receive students and often use high suspension rates to drive out students they don't want to serve; and

**WHEREAS**, the Commonwealth charter school system is creating separate and unequal opportunities for success; and

**WHEREAS**, lifting the cap on charter schools would greatly worsen the problems listed above and lead to a costly and divisive two-track school system;

**THEREFORE**, be it resolved that the Greenfield Town Council opposes lifting the cap on Commonwealth charter schools.

**DISCUSSION:** Councilor Maloni stated the Appointment and Ordinance Committee forwarded a unanimous positive recommendation. Councilor's comments included:

- What was the role of the Town Council in passing resolutions regarding ballot questions?
- Support the resolution to send a message to the State leaders that local Town Councilors support public schools.
- All ballot questions will have an effect on the town budget.
- Question 2 was poorly written.
- It was possible to support the resolution as well as charter schools.
- The current cap on Charter Schools has not been reached.

**MOTION:** On a motion by Councilor Maloni, second by Councilor Ricketts, it was unanimously, 1 abstention,

**VOTED:** to insert the following after the last whereas in the resolution as proposed by Councilor Renaud:

**“WHEREAS**, we strongly support collaboration between existing charter schools and public districts for the improvement of all schools as originally intended;

**WHEREAS**, we recognize the invaluable contribution that Four Rivers Charter School has made in our community and encourage other charter schools to follow their lead especially when it comes to transparency, innovation and collaboration.”

President Allis stated discussion would continue on the resolution as amended:

- Uncomfortable with the appearance of the Town Council influencing voters on ballot questions.
- Many Commonwealth legislative bodies and School Committees are voting similar resolutions.
- 100% behind public schools and urges people to vote no on Question 2.
- Support for voting yes on Question 2.

It was by majority, 1 no, 2 abstentions,

**VOTED:** TO APPROVE ORDER NO. FY 17 -054. As amended:

**Resolution Against Lifting the Cap on Commonwealth Charter Schools**

**Presented to Greenfield Town Council by Councilor Renaud**

**WHEREAS**, free public schools available to all students regardless of income, ability, need or English language proficiency are foundational to our democracy; and

**WHEREAS**, all of our students deserve high-quality public schools that teach the whole child, providing enrichment and addressing social and emotional needs in addition to core academic subjects; and

**WHEREAS**, local accountability for our public schools is necessary to ensure that schools are responsive to the needs of their communities; and

**WHEREAS**, Greenfield is losing over one million dollars per year to Commonwealth charter schools and public school districts across the state are losing more than \$450 million this year alone — a loss of funds that is undermining the ability of districts to provide all students with the educational services to which they are entitled; and

**WHEREAS**, Commonwealth charter schools are often approved over the objections of a majority of community residents and their elected officials and are not accountable to local elected officials once they are approved; and

**WHEREAS**, Commonwealth charter schools often fail to serve the same proportion of special needs students, low-income students and English language learners as the districts from which they receive students and often use high suspension rates to drive out students they don't want to serve; and

**WHEREAS**, the Commonwealth charter school system is creating separate and unequal opportunities for success; and

**WHEREAS**, lifting the cap on charter schools would greatly worsen the problems listed above and lead to a costly and divisive two-track school system;

**WHEREAS**, we strongly support collaboration between existing charter schools and public districts for the improvement of all schools as originally intended;

**WHEREAS**, we recognize the invaluable contribution that Four Rivers Charter School has made in our community and encourage other charter schools to follow their lead especially when it comes to transparency, innovation and collaboration.

**THEREFORE**, be it resolved that the Greenfield Town Council opposes lifting the cap on Commonwealth charter schools.

**Order no. FY 17-055**

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

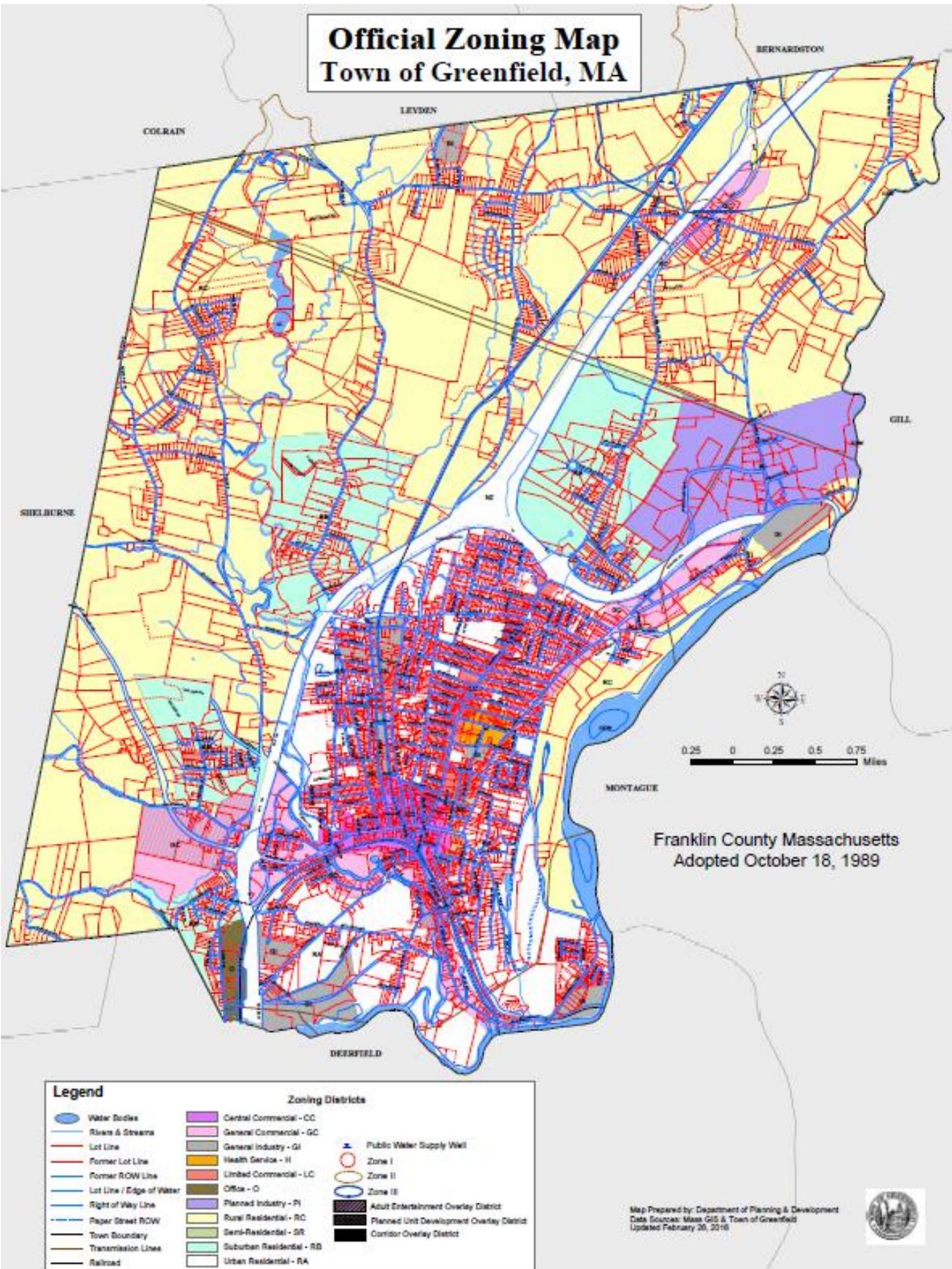
**MOVED:** THAT IT BE ORDERED THAT THE TOWN COUNCIL OF GREENFIELD HEREBY INITIATES THE FOLLOWING ZONE CHANGE IN ACCORDANCE WITH M.G.L.C 40A SECTION 5:

AMEND THE ZONING ORDINANCE, CHAPTER 200-4. 16 CORRIDOR OVERLAY DISTRICT (CO) PARAGRAPH A. BY STRIKING THE ENTIRETY AND REPLACING WITH THE FOLLOWING:

“A. DISTRICT BOUNDARIES. THE CORRIDOR OVERLAY DISTRICT SHALL APPLY TO THE FOLLOWING ROADWAY CORRIDORS: HIGH STREET. (1) HIGH STREET CORRIDOR. THE CORRIDOR SHALL EXTEND FROM THE INTERSECTION OF SILVER STREET AND HIGH STREET SOUTH TO SMITH STREET AS SHOWN AS CORRIDOR OVERLAY DISTRICT ON OFFICIAL ZONING MAP TOWN OF GREENFIELD, MA ADOPTED OCTOBER 18, 1989 AS UPDATED BY THE GREENFIELD DEPARTMENT OF PLANNING & DEVELOPMENT FEBRUARY 26, 2016. LOTS PARTIALLY WITHIN THE DISTRICT SHALL COMPLY WITH THE DISTRICT REQUIREMENTS.”

AND FURTHER BY AMENDING THE APPENDIX BY STRIKING “FRENCH KING HIGHWAY/HIGH STREET CORRIDOR OVERLAY” AND REPLACE WITH “CORRIDOR OVERLAY DISTRICT” AND SUBSTITUTING THE ATTACHED MAP REFERENCED HEREINABOVE.

# Official Zoning Map Town of Greenfield, MA



**MOTION:** On a motion by Councilor Maloni, second by Councilor Ricketts it was unanimously, **MOVED:** THAT IT BE ORDERED THAT IT BE ORDERED, THE GREENFIELD TOWN COUNCIL HEREBY APPROVES THE ATTACHED STATE ELECTION FOR NOVEMBER 8, 2016 AND FURTHER AUTHORIZES THE TOWN COUNCIL PRESIDENT TO SIGN SAID WARRANT ON BEHALF OF THE TOWN COUNCIL.

**COMMONWEALTH OF MASSACHUSETTS  
WILLIAM FRANCIS GALVIN  
SECRETARY OF THE COMMONWEALTH**

**WARRANT – STATE ELECTION – NOVEMBER 8, 2016**

**SS.**

To the Constables of the City/Town of Greenfield

**GREETINGS:**

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in the State Election to vote at

**GREENFIELD HIGH SCHOOL GYMNASIUM  
PRECINCTS 1,2,3,4,5,6,7,8 & 9**

on **TUESDAY, THE EIGHTH DAY OF NOVEMBER, 2016**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the candidates for the following offices and questions:

- ELECTORS OF PRESIDENT AND VICE PRESIDENT. . . . .FOR THIS COMMONWEALTH
- REPRESENTATIVE IN CONGRESS. . . . . SECOND DISTRICT
- COUNCILLOR. . . . .EIGHTH DISTRICT
- SENATOR IN GENERAL COURT . . . . . HAMPSHIRE, FRANKLIN & WORCESTER DISTRICT
- REPRESENTATIVE IN GENERAL COURT . . . . .SECOND BERKSHIRE DISTRICT
- SHERIFF. . . . .FRANKLIN COUNTY

**QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2016?

**SUMMARY**

This proposed law would allow the state Gaming Commission to issue one additional category 2 license, which would permit operation of a gaming establishment with no table games and not more than 1,250 slot machines.

The proposed law would authorize the Commission to request applications for the additional license to be granted to a gaming establishment located on property that is (i) at least four acres in size; (ii) adjacent to and within 1,500 feet of a race track, including the track's additional facilities, such as the track, grounds, paddocks, barns, auditorium, amphitheatre, and bleachers; (iii) where a horse racing meeting may physically be held; (iv) where a horse racing meeting shall have been hosted; and (v) not separated from the race track by a highway or railway.

**A YES VOTE** would permit the state Gaming Commission to license one additional slot-machine gaming establishment at a location that meets certain conditions specified in the law.

**A NO VOTE** would make no change in current laws regarding gaming.

**QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2016?

**SUMMARY**

This proposed law would allow the state Board of Elementary and Secondary Education to approve up to 12 new charter schools or enrollment expansions in existing charter schools each year. Approvals under this law could expand statewide charter school enrollment by up to 1% of the total statewide public school enrollment each year. New charters and enrollment expansions approved under this law would be exempt from existing limits on the number of charter schools, the number of students enrolled in them, and the amount of local school districts' spending allocated to them.

If the Board received more than 12 applications in a single year from qualified applicants, then the proposed law would require it to give priority to proposed charter schools or enrollment expansions in districts where student performance on statewide assessments is in the bottom 25% of all districts in the previous two years and where demonstrated parent demand for additional public school options is greatest.

New charter schools and enrollment expansions approved under this proposed law would be subject to the same approval standards as other charter schools, and to recruitment, retention, and multilingual outreach requirements that currently apply to some charter schools. Schools authorized under this law would be subject to annual performance reviews according to standards established by the Board.

The proposed law would take effect on January 1, 2017.

**A YES VOTE** would allow for up to 12 approvals each year of either new charter schools or expanded enrollments in existing charter schools, but not to exceed 1% of the statewide public school enrollment.

**A NO VOTE** would make no change in current laws relative to charter schools.

**QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2016?

**SUMMARY**

This proposed law would prohibit any farm owner or operator from knowingly confining any breeding pig, calf raised for veal, or egg-laying hen in a way that prevents the animal from lying down, standing up, fully extending its limbs, or turning around freely. The proposed law would also prohibit any business owner or operator in Massachusetts from selling whole eggs intended for human consumption or any uncooked cut of veal or pork if the business owner or operator knows or should know that the hen, breeding pig, or veal calf that produced these products was confined in a manner prohibited by the proposed law. The proposed law would exempt sales of food products that combine veal or pork with other products, including soups, sandwiches, pizzas, hotdogs, or similar processed or prepared food items.

The proposed law's confinement prohibitions would not apply during transportation; state and county fair exhibitions; 4-H programs; slaughter in compliance with applicable laws and regulations; medical research; veterinary exams, testing, treatment and operation if performed under the direct supervision of a licensed veterinarian; five days prior to a pregnant pig's expected date of giving birth; any day that pig is nursing piglets; and for temporary periods for animal husbandry purposes not to exceed six hours in any twenty-four hour period.

The proposed law would create a civil penalty of up to \$1,000 for each violation and would give the Attorney General the exclusive authority to enforce the law, and to issue regulations to implement it. As a defense to enforcement proceedings, the proposed law would allow a business owner or operator to rely in good faith upon a written certification or guarantee of compliance by a supplier.

The proposed law would be in addition to any other animal welfare laws and would not prohibit stricter local laws.

The proposed law would take effect on January 1, 2022. The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

**A YES VOTE** would prohibit any confinement of pigs, calves, and hens that prevents them from lying down, standing up, fully extending their limbs, or turning around freely.

**A NO VOTE** would make no change in current laws relative to the keeping of farm animals.

**QUESTION 4: LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2016?

**SUMMARY**

The proposed law would permit the possession, use, distribution, and cultivation of marijuana in limited amounts by persons age 21 and older and would remove criminal penalties for such activities. It would provide for the regulation of commerce in marijuana, marijuana accessories, and marijuana products and for the taxation of proceeds from sales of these items.

The proposed law would authorize persons at least 21 years old to possess up to one ounce of marijuana outside of their residences; possess up to ten ounces of marijuana inside their residences; grow up to six marijuana plants in their residences; give one ounce or less of marijuana to a person at least 21 years old without payment; possess, produce or transfer hemp; or make or transfer items related to marijuana use, storage, cultivation, or processing.

The measure would create a Cannabis Control Commission of three members appointed by the state Treasurer which would generally administer the law governing marijuana use and distribution, promulgate regulations, and be responsible for the licensing of marijuana commercial establishments. The proposed law would also create a Cannabis Advisory Board of fifteen members appointed by the Governor. The Cannabis Control Commission would adopt regulations governing licensing qualifications; security; record keeping; health and safety standards; packaging and labeling; testing; advertising and displays; required inspections; and such other matters as the Commission considers appropriate. The records of the Commission would be public records.

The proposed law would authorize cities and towns to adopt reasonable restrictions on the time, place, and manner of operating marijuana businesses and to limit the number of marijuana establishments in their communities. A city or town could hold a local vote to determine whether to permit the selling of marijuana and marijuana products for consumption on the premises at commercial establishments.

The proceeds of retail sales of marijuana and marijuana products would be subject to the state sales tax and an additional excise tax of 3.75%. A city or town could impose a separate tax of up to 2%. Revenue received from the additional state excise tax or from license application fees and civil penalties for violations of this law would be deposited in a Marijuana Regulation Fund and would be used subject to appropriation for administration of the proposed law.

Marijuana-related activities authorized under this proposed law could not be a basis for adverse orders in child welfare cases absent clear and convincing evidence that such activities had created an unreasonable danger to the safety of a minor child.

The proposed law would not affect existing law regarding medical marijuana treatment centers or the operation of motor vehicles while under the influence. It would permit property owners to prohibit the use, sale, or production of marijuana on their premises (with an exception that landlords cannot prohibit consumption by tenants of marijuana by means other than by smoking); and would permit employers to prohibit the consumption of marijuana by employees in the workplace. State and local governments could continue to restrict uses in public buildings or at or near schools. Supplying marijuana to persons under age 21 would be unlawful.

The proposed law would take effect on December 15, 2016.

**A YES VOTE** would allow persons 21 and older to possess, use, and transfer marijuana and products containing marijuana concentrate (including edible products) and to cultivate marijuana, all in limited amounts, and would provide for the regulation and taxation of commercial sale of marijuana and marijuana products.

**A NO VOTE** would make no change in current laws relative to marijuana.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 19<sup>th</sup> day of October 2016.

Town Council President Brickett M. Allis  
As authorized by vote of the Greenfield Town Council

By Constable Posting

\_\_\_\_\_  
Constable  
Constable

\_\_\_\_\_  
Date of posting  
(month and day)

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

**REPORTS OF COMMITTEES** None.

**UNFINISHED BUSINESS:** None.

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**MOTIONS FOR RECONSIDERATION:** None.

President Allis informed the Town Council of the new procedure involving the printing of agendas and packets. He stated all agendas and packets will be emailed as unusual however only the agendas an motions will be printed for individuals. If a Councilor requires information to be printed they should contact the Clerk.

**ADJOURNMENT:** On a motion by Councilor Allis, second by Councilor Devlin, it was unanimously **VOTED:** TO ADJOURN THE MEETING AT 9:08 P.M.

A true copy,

Attest: \_\_\_\_\_

Deborah J. Tuttle, Town Clerk

**GREENFIELD TOWN COUNCIL MEMBERS**

GCTV-15  
Regular Meeting  
October 19, 2016

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