

GREENFIELD TOWN COUNCIL

Regular Meeting Minutes

December 21, 2016

GCTV-15, 393 Main Street

7:00 pm

CALL TO ORDER: Meeting was called to order at 7:04 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 Pyfrom and Ricketts 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; Greenfield School Superintendent Jordana Harper; School Committee Chairperson Timothy Farrell; GCTV-15 staff; Aviva Luttrell, *the Recorder*; and members of the public.

The Pledge of Allegiance was held.

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

VOTED: TO ACCEPT THE TOWN COUNCIL MINUTES OF NOVEMBER 16, 2016 AND DECEMBER 5, 2016.

PUBLIC COMMENT: Nancy Hazard, 30 Spring Terrace reviewed an article from the *Recorder* regarding Greenfield Light and Power (GL&P). She also welcomed home Councilor Renaud wife Julie from the hospital.

PUBLIC HEARINGS: None.

COMMUNICATIONS:

MAYOR: Mayor Martin discussed:

- Greenfield Light and Power (GL&P) was projected to save the average customer \$20.00 per bill.
- A new snow emergency policy, snow management plan, which he would forward to the Town Council office tomorrow.
- According to the new Public Record Access Law which will take effect on January 1, 2017, Deborah Tuttle has been appointed Record Access Officer for the Town of Greenfield.

Ms. Braccia stated that she would provide a full report in January for the Town of Greenfield's Free Cash of \$2,177,885.

Mayor Martin responded to questions from the Town Council regarding:

- Staffing to accommodate the new Public Record Access Law.
- Snow emergency policy and the fact that fines/violation tickets were issued to citizens for not shoveling their sidewalks. It was noted access to Town Hall was prohibited because the sidewalk was not shoveled around the building or at Veterans Mall.

SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE: Chairperson Farrell and Superintendent Harper discussed:

- School Committee endorsement of the creation of a Stabilization Account for School Special Education.

- School Committee affirmation of the relocation of the Math and Science Academy to the Greenfield Middle School.
- School Committee endorsement of the Innovation Status at Four Corners School.
- Greenfield High School was receiving a Promising Practices Grant for learning coaches.
- Collaboration between Greenfield High School and GCC, aligning curriculum to allow seniors to receive college credits for specific courses.
- Funding request for current Special Education needs.
- Information to be sent to the State Senate President providing evidence that Special Education and Transportation is not adequately funded to ensure the State understands the issues faced by towns.
- The “White Paper” non white paper would be forwarded to the Town Council.
- Advocate for the return of Civics Classes.
- Bring a proposal to the Mayor and Superintendent to have students shadow Councilors.
- Education Collaborative providing valuable services for the district.

TOWN OFFICERS: None.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 17-071

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 GREENFIELD RETIREMENT BOARD: BETTY RICE –THREE YEAR TERM TO EXPIRE JUNE 30, 2019.

DISCUSSION: Councilor Maloni stated the Appointment and Ordinance Committee did not hold a meeting in December so no recommendation was made.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 17 -071.

Order no. FY 17-072

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

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10, ACCEPTS THE FOLLOWING APPOINTMENT BY THE MAYOR TO THE GREENFIELD CEMETERY COMMISSION: JEFFREY HAMPTON – REMAINDER OF A THREE YEAR TERM TO EXPIRE JUNE 30, 2019 (TO FILL VACANCY LEFT BY THE VACANCY LEFT BY JAMES MORIN WHO OPTED NOT TO BE REAPPOINTED).

Order no. FY 17-067

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL ACCEPTS MASSACHUSETTS GENERAL LAW CHAPTER 60 SECTION 3 F AS ATTACHED (EXHIBITA).

EXHIBIT A

Chapter 60: COLLECTION OF LOCAL TAXES

Section 3F: Voluntary donation to multiple veterans assistance fund by designation on municipal property tax or motor vehicle excise bills

[Text of section added by 2016, 141, Sec. 12 effective July 14, 2016.]

Section 3F. A city, town or district that accepts this section may designate a place on its municipal property tax bills or motor vehicle excise bills or mail with such bills a separate form whereby taxpayers of the city, town or district may voluntarily check off, donate and pledge an amount of money which shall increase the

amount already due to establish and fund a municipal veterans assistance fund which shall be under the supervision of the local veterans agent, the board or officer in charge of the collection of the municipal charge, fee or fine or the town collector of taxes.

Money in the fund shall be used to provide support for veterans and their dependents in need of immediate assistance with food, transportation, heat and oil expenses. The city, town or district's veterans' services department shall: (i) establish an application process for veterans and their dependents to obtain assistance; (ii) establish standards for acceptable documentation of veteran status or dependent status; and (iii) establish financial eligibility criteria for determining need and amount of assistance for eligible applicants. The veterans' services department shall be responsible for reviewing each applicant and fairly applying the eligibility and level-of-need standards.

DISCUSSION: Vice-President Mass stated he wanted more information on Statutory Authority. He and Councilor Wainstein would work together on this and bring information back to the Town Council within six months.

MOTION: On a motion by Councilor Lobik, second by Councilor Mass, it was unanimously,
TABLED: ORDER NO. FY 17 -067.

Order no. FY 17-068

MOTION: On a motion by Councilor Lobik, second by Councilor Mass, it was,
MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL ACCEPTS MASSACHUSETTS GENERAL LAW CHAPTER 40 SECTIONS 22a – 22c AS ATTACHED (EXHIBITA).

EXHIBIT A

Chapter 40: POWERS AND DUTIES OF CITIES AND TOWNS

Section 22A: Parking meters; fees; exemption from fees for disabled veterans and handicapped persons; bicycle locking devices; motorcycle parking; restricted parking areas for veterans and handicapped persons [First paragraph effective until November 7, 2016. For text effective November 7, 2016, see below.]

Section 22A. Any city or town, for the purpose of enforcing its ordinances, by-laws and orders, rules and regulations relating to the parking of vehicles on ways within its control and subject to the provisions of section two of chapter eighty-five, may appropriate money for the acquisition, installation, maintenance and operation of parking meters, or by vote of the city council or of the town may authorize a board or officer to enter into agreement for such acquisition, installation or maintenance of parking meters; provided, that the city of Boston, for the purpose of enforcing the rules and regulations adopted by its traffic and parking commission, or promulgated by its commissioner of traffic and parking, under chapter two hundred and sixty-three of the acts of nineteen hundred and twenty-nine, may appropriate money for the acquisition, installation, maintenance and operation of parking meters, or, by vote of the city council of said city, subject to the provisions of its charter, may authorize the traffic and parking commission of said city to enter into agreements for the acquisition, installation or maintenance of parking meters. An agreement for the acquisition or installation of parking meters may provide that payments thereunder shall be made over a period not exceeding five years without appropriation, from fees received for the use of such parking meters notwithstanding the provisions of section fifty-three of chapter forty-four. Such fees shall be established and charged at such rates that the revenue therefrom shall not exceed in the aggregate the necessary expenses incurred by such city or town for the acquisition, installation, maintenance and operation of parking meters and the regulation of parking and other traffic activities incident thereto. No fee shall be exacted and no penalty shall be imposed for the parking of any vehicle owned and driven by a disabled veteran or by a handicapped person and bearing the distinctive number plates authorized by section two of chapter ninety, or for any vehicle transporting a handicapped person and displaying the special parking identification plate

authorized by said section two of said chapter ninety or for any vehicle bearing the official identification of a handicapped person issued by any other state or any Canadian Province. Any city or town may, in accordance with the provisions of this section, acquire and operate coin-operated locking devices for bicycle parking. A city or town may, in accordance with the provisions of this section, authorize the parking of more than one motorcycle in a single parking space and may impose a penalty for the full amount of a violation of an ordinance, by-law, order, rule or regulation related to the parking of vehicles on ways within its control and subject to section 2 of chapter 85 for each motorcycle so parked in violation of any such ordinance, by-law, order, rule or regulation. No motorcycle shall be parked in such a manner so as to inhibit the means of egress of another motorcycle currently parked in the same parking space.

[First paragraph as amended by 2016, 218, Secs. 25 and 26 effective November 7, 2016. For text effective until November 7, 2016, see above.]

Any city or town, for the purpose of enforcing its ordinances, by-laws and orders, rules and regulations relating to the parking of vehicles on ways within its control and subject to the provisions of section two of chapter eighty-five, may appropriate money for the acquisition, installation, maintenance and operation of parking meters, or by vote of the city council or of the town may authorize a board or officer to enter into agreement for such acquisition, installation or maintenance of parking meters; provided, that the city of Boston, for the purpose of enforcing the rules and regulations adopted by its traffic and parking commission, or promulgated by its commissioner of traffic and parking, under chapter two hundred and sixty-three of the acts of nineteen hundred and twenty-nine, may appropriate money for the acquisition, installation, maintenance and operation of parking meters, or, by vote of the city council of said city, subject to the provisions of its charter, may authorize the traffic and parking commission of said city to enter into agreements for the acquisition, installation or maintenance of parking meters. In any city or town that accepts this sentence, the agreement for the acquisition or installation of parking meters may provide that payments thereunder shall be made over a period not exceeding 5 years without appropriation, from fees received for the use of such parking meters notwithstanding section 53 of chapter 44. Such fees shall be established and charged at rates determined by the city or town. Rates may be set for the purpose of managing the parking supply. The revenue therefrom may be used for acquisition, installation, maintenance and operation of parking meters and other parking payment and enforcement technology, the regulation of parking, salaries of parking management personnel, improvements to the public realm, and transportation improvements, including, but not limited to, the operations of mass transit and facilities for biking and walking. No fee shall be exacted and no penalty shall be imposed for the parking of any vehicle owned and driven by a disabled veteran or by a handicapped person and bearing the distinctive number plates authorized by section two of chapter ninety, or for any vehicle transporting a handicapped person and displaying the special parking identification plate authorized by said section two of said chapter ninety or for any vehicle bearing the official identification of a handicapped person issued by any other state or any Canadian Province. Any city or town may, in accordance with the provisions of this section, acquire and operate coin-operated locking devices for bicycle parking. A city or town may, in accordance with the provisions of this section, authorize the parking of more than one motorcycle in a single parking space and may impose a penalty for the full amount of a violation of an ordinance, by-law, order, rule or regulation related to the parking of vehicles on ways within its control and subject to section 2 of chapter 85 for each motorcycle so parked in violation of any such ordinance, by-law, order, rule or regulation. No motorcycle shall be parked in such a manner so as to inhibit the means of egress of another motorcycle currently parked in the same parking space.

Any city or town acting under this section shall further regulate the parking of vehicles on ways within its said control by restricting certain areas thereon for the parking of any vehicle owned and driven by a disabled veteran or handicapped person whose vehicle bears the distinctive number plates authorized by section two of chapter ninety or for any vehicle transporting a handicapped person and displaying the special parking identification plate authorized by said section two of said chapter ninety, or for any vehicle bearing the official identification of a handicapped person issued by any other state, or any Canadian Province, or by prohibiting the parking or standing of any vehicles in such a manner as to obstruct any curb

ramp designed for use by handicapped persons. Parking spaces designated as restricted under this paragraph shall be identified by the use of above-grade signs with white lettering against a blue background and shall bear the words "Handicapped Parking: Special Plate Required. Unauthorized Vehicles May be Removed at Owner's Expense". The spaces shall be as near as possible to a building entrance or walkway, shall be adjacent to curb ramps or other unobstructed methods permitting sidewalk access to a handicapped person and shall be at least 8 feet wide, not including the cross hatch access aisle as defined by the architectural access board established in section 13A of chapter 22. If parking spaces designated as restricted under this paragraph are made temporarily unavailable due to a construction project or other planned event, the city or town shall ensure that the nearest available nonreserved parking space, if any, shall be temporarily designated as restricted under this paragraph. The cost of acquisition, installation and maintenance and operation of any signs or other regulatory devices used to designate such restricted areas shall be considered as a necessary expense for the regulation of parking and shall be paid from appropriations authorized by this section. Any such ordinance, by-law, order, rule or regulation promulgated pursuant to this paragraph shall contain a penalty of not less than \$100 nor more than \$300 and shall provide for the removal of a vehicle in accordance with section 22D. This penalty shall not be a surchargeable offense under section 113B of chapter 175

Section 22B: Acquisition and maintenance of off-street parking areas; conditions; exceptions

[Text of section effective until November 7, 2016. For text effective November 7, 2016, see below.]

Section 22B. Any city or town having installed parking meters or coin-operated locking devices for bicycle parking may acquire off-street parking areas and facilities by purchase, gift, eminent domain under chapter seventy-nine or chapter eighty A, by lease not to exceed five years, or otherwise, and may pay for such acquisition or lease, including the cost of policing, constructing or reconstructing, surfacing, operating and maintaining such areas and facilities, and including any debt together with interest thereon incurred for such acquisition, in whole or in part and pay for the removal of architectural barriers in public facilities in accordance with the provisions of section thirteen A of chapter twenty-two, from any receipts from said parking meters or such devices and may in each year transfer or pay into its general funds from said receipts a sum or sums in lieu of taxes for the year in question upon the average assessed valuation of said areas and facilities for the three years immediately prior to the date of said acquisition, determined by multiplying each one thousand dollars of such average valuation or fraction thereof by the tax rate set for said city or town for that year; provided, that the off-street parking areas and facilities are located not more than six hundred feet from a building in which the principal activity is business, commercial, manufacturing or industrial in character, and which building is in a business, commercial, manufacturing or industrial zone, but is not more than six hundred feet from the nearest parking meter of any group of not less than thirty parking meters approved by the department of highways, or are located not more than six hundred feet from a public beach area.

[Text of section as amended by 2016, 218, Sec. 28 effective November 7, 2016. For text effective until November 7, 2016, see above.]

Section 22B. In a city or town that accepts this section and installs parking meters or coin-operated locking devices for bicycle parking, the city or town may acquire off-street parking areas and facilities by purchase, gift, eminent domain under chapter seventy-nine or chapter eighty A, by lease not to exceed five years, or otherwise, and may pay for such acquisition or lease, including the cost of policing, constructing or reconstructing, surfacing, operating and maintaining such areas and facilities, and including any debt together with interest thereon incurred for such acquisition, in whole or in part and pay for the removal of architectural barriers in public facilities in accordance with the provisions of section thirteen A of chapter twenty-two, from any receipts from said parking meters or such devices and may in each year transfer or pay into its general funds from said receipts a sum or sums in lieu of taxes for the year in question upon the average assessed valuation of said areas and facilities for the three years immediately prior to the date of said acquisition, determined by multiplying each one thousand dollars of such average valuation or fraction thereof by the tax rate set for said city or town for that year; provided, that the off-street parking areas and facilities are located not more than six hundred feet from a building in which the principal activity is business, commercial, manufacturing or industrial in character, and which building is in a business,

commercial, manufacturing or industrial zone, but is not more than six hundred feet from the nearest parking meter of any group of not less than thirty parking meters approved by the department of highways, or are located not more than six hundred feet from a public beach area.

Section 22C: Off-street parking lots; installation of parking meters and other devices; use of receipts

[Text of section effective until November 7, 2016. For text effective November 7, 2016, see below.]

Section 22C. Any city or town, having installed parking meters or coin-operated locking devices for bicycle parking under section 22A, may install parking meters in municipally owned or leased off-street parking lots and other devices for controlling the off-street parking lots. Those cities and towns may use any receipts from those parking meters and other devices for the purpose of purchase or lease of additional parking lots, the care and maintenance of the parking lots, the purchase or lease of a commuter shuttle or commuter shuttle services between the parking lots and available public transportation, the care and maintenance of public transportation station accessibility improvements and in general for traffic control or traffic safety purposes, including payment for public liability coverage in connection with the purchase, lease and use of the municipally owned or leased parking lots and commuter shuttles or commuter shuttle services.

[Text of section as amended by 2016, 218, Secs. 29 and 30 effective November 7, 2016. For text effective until November 7, 2016, see above.]

Section 22C. Any city or town, having installed parking meters or coin-operated locking devices for bicycle parking under section 22A, may install parking meters in municipally owned or leased off-street parking lots and other devices for controlling the off-street parking lots. In a city or town that accepts this sentence, the city or town may use any receipts from those parking meters and other devices for the purpose of purchase or lease of additional parking lots, the care and maintenance of the parking lots, the purchase or lease of a commuter shuttle or commuter shuttle services between the parking lots and available public transportation, the care and maintenance of public transportation station accessibility improvements and in general for traffic control or traffic safety purposes, including payment for public liability coverage in connection with the purchase, lease and use of the municipally owned or leased parking lots and commuter shuttles or commuter shuttle services or any of the purposes and uses listed in section 22A

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 17 -068.

Order no. FY 17-069

Financial Order 17-25

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

MOVED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THAT EACH PRIOR ORDER OF THE TOWN COUNCIL THAT AUTHORIZES THE BORROWING OF MONEY TO PAY COSTS OF CAPITAL PROJECTS IS HEREBY SUPPLEMENTED TO PROVIDE THAT, IN ACCORDANCE WITH CHAPTER 44, SECTION 20 OF THE GENERAL LAWS, THE PREMIUM RECEIVED BY THE TOWN UPON THE SALE OF ANY BONDS OR NOTES THEREUNDER, LESS ANY SUCH PREMIUM APPLIED TO THE PAYMENT OF THE COSTS OF ISSUANCE OF SUCH BONDS OR NOTES, MAY BE APPLIED TO PAY PROJECT COSTS AND THE AMOUNT AUTHORIZED TO BE BORROWED FOR EACH SUCH PROJECT SHALL BE REDUCED BY THE AMOUNT OF ANY SUCH PREMIUM SO APPLIED.

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 17-069, Financial Order 17-25.

Order no. FY 17-073

MOTION: On a motion by Councilor Lobik, second by Councilor Mass, it was,
MOVED: THAT IT BE ORDERED, ON THE RECOMMENDATION OF THE MAYOR, ESTABLISHES A STABILIZATION FUND FOR THE PURPOSE OF PROVIDING FOR UNEXPECTED AND EXTRAORDINARY SPECIAL EDUCATION COSTS FOR THE GREENFIELD PUBLIC SCHOOLS IN ACCORDANCE WITH MGL CH.40 §5B.

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 17 -073.

Order no. FY 17-070

A 1

MOTION: On a motion by Councilor Mass, second by Councilor Maloni, it was,
MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL DECLARES REAL ESTATE ON RIVER STREET, BEING SHOWN ON ASSESSORS MAP 32, BLOCK 2, TO BE SURPLUS PROPERTY AND TRANSFERS SAID PROPERTY TO THE MAYOR FOR SALE.

DISCUSSION: President Allis stated the Economic Development Committee did not forward a recommendation due to questions he had at the meeting. The questions related to the sale of portions of a parcel of land rather than full lots. It was noted the Town Council did not have control over the land sold but was nonetheless interested. It was noted that this lot was not a buildable parcel of land.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 17 -070, A 1.

Order no. FY 17-070

A 2

MOTION: On a motion by Councilor Mass, second by Councilor Stempel, it was unanimously,
VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AUTHORIZES THE MAYOR TO SELL RIVER STREET, ASSESSORS MAP 32, BLOCK 2, PURSUANT TO THE TOWN COUNCIL POLICY FOR THE SALE OF TOWN OWNED LAND AND AUTHORIZE THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE SAME.

PRESENTATION OF PETITIONS AND SIMILAR PAPERS None.

REPORTS OF COMMITTEES

COMMUNITY RELATIONS AND EDUCATION COMMITTEE – Chairperson Burge announced there would not be a CRE meeting during December due to holidays.

UNFINISHED BUSINESS: None.

OLD BUSINESS: None.

NEW BUSINESS: A reorganization meeting of the Town Council, will be Tuesday, January 3, 2017 at 6:00 pm at the Planning Office, 114 Main Street prior to the Committee Chairs meeting. Discussion was held relating to the Town Council Rules of Procedure and Charter Language relating to organization of the Town Council. It was noted the Appointments and Ordinance Committee may want to look into changing language to clarify.

Councilor Lobik held the following first reading:

- \$387,000 be appropriated from Free Cash to the Greenfield Public School Budget.
- \$100,000 be appropriated from Free Cash to OPEB.
- \$1,600,000 be appropriated from Free Cash to the following Stabilization Funds:
 - \$1,000,000 to General Stabilization
 - \$250,000 to Capital Stabilization
 - \$200,000 to Contractual Stabilization
 - \$50,000 to Building Maintenance Stabilization
 - \$100,000 to Special Education Stabilization

MOTIONS FOR RECONSIDERATION: None.

The Town council wished everyone a Happy Holiday and welcomed home Councilor Renaud’s wife from the hospital.

ADJOURNMENT: On a motion by Councilor Mass, second by Councilor Maloni, it was unanimously **VOTED:** TO ADJOURN THE MEETING AT 8:12 P.M.

A true copy,

Attest: _____
 Deborah J. Tuttle, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

GCTV-15
 Regular Meeting
 December 21, 2016

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