A formatting error to the referenced “Schedule A” spreadsheet inadvertently omitted context within some department and bottom line figures.

GREENFIELD TOWN COUNCIL
Regular Meeting Minutes
May 17, 2017

GCTV-15, 393 Main Street

CALL TO ORDER:  Meeting was called to order at 7:02 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. All Councilors were present.

ALSO PRESENT:  Mayor William Martin; Town Clerk Deborah J. Tuttle; Director of Municipal Finance and Administration Marjorie Lane Kelly; Town Accountant Elizabeth Braccia; General Administration Officer Mark Smith; Greenfield School Superintendent Jordana Harper; School Committee members Adrienne Nunez and Susan Hollins; Chief Assessor Audrey Murphy; Police Chief Rob Haigh; Fire Chief Robert Strahan; Deputy Police Chief Mark Williams; Library Director Ellen Boyer; DPW Director Donald Ouellette; Health Director Nicole Zabko; IT Director Fernando Fleury; Human Resource Director Dennis Helmus; Council on Aging Director Hope Macary; Central Maintenance Facility Manager George VanDelinder; Energy Director Carole Collins; 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 Ricketts, second by Councilor Childs, it was unanimously,


PUBLIC COMMENT:  The following members of the public spoke:

- Marina Osit, 121 Riddell Street, read the attached statements about her experiences at school which spurred her to create the buttons she handed out to the Town Council which state “gay is not stupid.”
- John Parks, 9 Wells Street, suggested the town create an ordinance prohibiting panhandling on town streets.
- Sheila Gilmour, 134 High Street, spoke in opposition of the proposed cuts to the Mayor's Fiscal Year 2018 Operating Budget.
- Susan Hollins, 11 Francis Street, spoke in opposition of the proposed cuts to the Mayor's Fiscal Year 2018 Operating Budget.
- Maggie Sweeney, 9 Orchard Street, spoke of the deplorable conditions of the homes and property at 2 and 14 Orchard Streets. She stated the neighbors bringing this issue to light were not being listened to.
- Adrienne Nunez, 71 Conway Street, Vice Chairperson of the School Committee spoke in opposition of the proposed budget cuts and in favor of the Civil Rights Officer Ordinance.
- Russell Thomas, 38 Orchard Street, thanked Councilor Renaud for bringing the abandoned property located at 2 Orchard Street to light and suggested the Vacant and Foreclosing Properties ordinance be amended to add some “teeth” to the enforcement of the ordinance.
- Carol Letson, 29 Allen Street, spoke in favor of the Civil Right Officer Ordinance.
- Betsy Shapiro, 17 Hasting Street, spoke in opposition to the proposed budget cuts to the Mayor's Operating Budget stating concerns with the potential long term effect it would have on the town’s bond rating.
- Patty Morey Walker, 194 High Street, spoke in favor of the Civil Right Officer Ordinance.
• Emma Morgan, 50 Solar Way, spoke in favor of the Civil Right Officer Ordinance.
• Kelly Kane, 161 Federal Street, spoke in favor of the Civil Right Officer Ordinance.

PUBLIC HEARINGS: None.

Councilor Stempel held the following second reading:

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>MAYOR'S PROPOSED BUDGET FY 18</th>
</tr>
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<tbody>
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<td>LEGISLATIVE</td>
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<td>EXECUTIVE</td>
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<tr>
<td>TOTAL OPERATING BUDGET</td>
<td>$48,650,502</td>
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COMMUNICATIONS:

MAYOR: Mayor Martin spoke:
• Thanked departments’ heads in attendance.
• Introduced General Administration Officer Mark Smith noting he will be assuming a portion of the duties when Ms. Kelly retires.
• Awards and recognition of town employees.
• Signed Parking Garage contract.
• Demolition of the former Bendix building.
• CDBG Grant awards.
• Fiscal Year 2018 Operating budget, process, timeline, turn backs, proposed reductions, free cash, supplemental budget, and potential unintended effects of the proposed reductions.
• Manner in which had been used to budget since 2008.
• Tax rate versus what is paid.

President Allis suggested Councilors ask any questions now because when deliberations are occurring questions to the audience will not be allowed. In response to Councilors question Mayor Martin and Ms. Kelly spoke of the following:
- GCET had a soft launch yesterday; they can be contacted at www.gcet.net.
- If the budget were cut, it would depend on the department and the circumstances whether the Mayor would support reinstating funds in a supplemental budget.
- A portion of the parking garage would be paid for from funds raised by usage of the structure; expected cash flow from the garage; we would have to know the structure of the debt to know when the garage would be paid off.
- Not expected to lose grants if the proposed 1% reduction occurred; reserve fund amount balances do affect the town’s bond rating.
- There will be public forums relating to the expansion of the Town Common. For additional information Conservation Agent Maureen Pollock could be contacted.
- Building Inspector fines for the Vacant and Foreclosing Properties are completely separate from Tax Title Properties.
- Delinquent tax bill notices went out to taxpayers earlier than usual because of the new computer system.
- The town cannot allow departments to deficit spend and rely that a supplemental budget would be considered.
- The town was cleaning up a property they owned on Country Club Road.
- The cut to the School department would have to be taken out of the Greenfield School’s budget because the town is obligated to pay Franklin County Technical School and Smith Vocational for students attending.
- Stabilization Accounts could be compared to savings accounts or rainy day funds.

**SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE:** Superintendent Harper stated:
- In regards to the young lady who spoke at the beginning of the meeting she was very proud of the voices of our youth.
- Urged the Town Council to approve the Mayor's Fiscal Year 2018 Operating Budget as submitted. The reduction could create instability and a structural deficit next year.

In response to a Councilor’s question Superintendent Harper stated there had been several meetings regarding holding Town Council meetings at the High School including short and long term goals.

**TOWN OFFICERS:** None.

**MOTIONS, ORDERS, AND RESOLUTIONS**

*Order no. FY 17-124*

*Financial Order 18-001*

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

**MOVED:** THAT IT BE ORDERED, UPON RECOMMENDATION OF MAYOR MARTIN, AN ORDER TO APPROPRIATE $48,650,502 FOR THE FY2018 GENERAL FUND BUDGET, ORDERED, THAT: THE SUM OF $48,650,502, WHICH IS THE FULL AMOUNT NECESSARY FOR THE FISCAL YEAR 2018 GENERAL FUND BUDGET (JULY 1, 2017 TO JUNE 30, 2018), BE APPROPRIATED FOR THE PURPOSES STATED. TO MEET SAID APPROPRIATION, $500,000 WILL BE TRANSFERRED FROM PARKING METER RECEIPTS RESERVED AND $48,150,502 WILL BE RAISED AND APPROPRIATED.

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

**MOVED:** I MOVE THAT THE FY 2018 OPERATING BUDGET BE AMENDED AS FOLLOWS:

By reducing Total Legislative by $702 to $69,546;
Further by reducing Total Executive by $2,504 to $247,944;
Further by reducing Total Financial Administration by $9,125 to $903,421;
Further by reducing Total Operations support by $7,577 to $750,140;
Further by reducing Total Licensing and Registration by $2,100 to $297,973;
Further by reducing Total Land Use development by $1,162 to $115,056;
Further by reducing Total Other General Government by $16,784 to $1,661,707;
Further by reducing Total Public Safety by $64,495 to $6,385,085;
Further by reducing Total Education by $195,180 to $19,322,843;
Further by reducing Total Public Works by $21,944 to $2,172,516;
Further by reducing Total Other D.P.W. Related Expenses by $3,070 to $303,930;
Further by reducing Total Human Services by $9,171 to $907,973;
Further by reducing Total Culture and Recreation by $8,132 to $805,126;
Further by reducing Total Debt Service by $23,238 to $2,300,596;
Further by reducing Total Miscellaneous by $121,314 to $12,010,148;
Further by reducing all line items within the above listed Total budgets by the reductions itemized on Schedule A here attached to reach said totals;
Further by reducing Total Operating budget by $486,498 to $48,164,004;
Further by attaching to the budget the following statement to the Mayor and School Committee:
The 1% cut to the operating budget represents less than 20% of the Free Cash certified each year over the last five years. The Town Council requests that a supplemental budget be submitted after the certification of Free Cash making whole all departments, which do not find additional reasonable savings and for further appropriations for departments which have additional needs that are unforeseen at this time. It is the intent of the Town Council in adopting this amendment to the operating budget, lower property tax bills without affecting essential services.

DISCUSSION: Councilor Stempel stated the Ways and Means Committee forwarded a majority positive, 4 yes and 1 no, recommendation for approval. Vice-President Mass spoke of the following:
- The Mayor's proposed budget would increase taxes $171.31 per average tax bill. The proposed reduction would save the average taxpayer $59.29 from the increase. There would still be an increase of $112.02 to each bill.
- The sole reason for the amendments were to reduce the tax burden on taxpayers.
- Recent historical tax increase.
- Payments to vocational schools were quarterly.
- Departments and the Mayor can request full funding, Supplemental Budget, after free cash was certified; there was no reason for layoffs.
- The only reason this would affect services was if the Mayor chose for it to affect services.

Councilor’s comments included:
- Recent budget practices have not used the Supplemental Budget processes.
- Budget process has been to create a moral behavior.
- Urge not to approve the reductions and invest in the future.
- Understand the importance of appearing to save the tax payers money; however, you can either pay now or pay for errors in the future.
- Ways the town could pursue other forms of income.
- Don’t save now just to kick the financial can down the road.
- Don’t support across the board cuts.
- People cannot continue to pay increasing taxes; people are being pushed away by high taxes.
- Tax abatements were available to be submitted in the Assessors Office.
- The Mayor and Department heads have done a great job.
- The average tax bill has gone up approximately $1000 over the last eight years.
- Change the way we approximate funds so we do not over tax citizens.
• There seems to be a message here that supporting the Mayor's proposed budget means you don't support taxpayers, this is not the case.
• People continue to move into Greenfield despite the tax rate.
• Total departmental turn backs and free cash from Fiscal Year 2012 to Fiscal Year 2016.
• Uncertainties in the budget process.
• Should be borrowing from stabilization and replenishing rather than having the taxpayers bear the burden.
• This plan treats departments and homeowners equally.
• If the Mayor chooses to cut departments that would be unfortunate and unnecessary.

It was by majority roll call, 8 yes and 5 no,
**VOTED:** TO APPROVE THE PROPOSED AMENDMENTS TO THE BUDGET.

Councilor Stempel suggested the Town Council consider supporting the fixed cost for a total of $1,790,000. Discussion was held regarding the process for filing a motion for reconsideration.

**MOTION:** On a motion by Councilor Wainstein, second by Councilor Ricketts, it was,
**MOVED:** TO RETURN $195,180 BACK TO THE GREENFIELD PUBLIC SCHOOL BUDGET.

**DISCUSSION:** Councilor Mass acknowledged this amendment was in excess of the Mayor's proposal. The Town Council was not allowed by law to propose an amount in excess of the Mayor's budget. It was noted the School Department still had a $400,000 in Special Education fund it chose not to spend.

It was by majority 6 yes and 7 no,
**DEFEATED:** TO RETURN $195,180 BACK TO THE GREENFIELD PUBLIC SCHOOL BUDGET.

President Allis stated the Fiscal Year 2018 Operating budget as amended would be considered.

It was by majority roll call, 8 yes and 5 no,
**VOTED:** THAT IT BE ORDERED, UPON RECOMMENDATION OF MAYOR MARTIN, AN ORDER TO APPROPRIATE $48,164,004 FOR THE FY2018 GENERAL FUND BUDGET.

ORDERED, THAT: THE SUM OF $48,164,004, WHICH IS THE FULL AMOUNT NECESSARY FOR THE FISCAL YEAR 2018 GENERAL FUND BUDGET (JULY 1, 2017 TO JUNE 30, 2018), BE APPROPRIATED FOR THE PURPOSES STATED. TO MEET SAID APPROPRIATION, $500,000 WILL BE TRANSFERRED FROM PARKING METER RECEIPTS RESERVED AND $48,164,004 WILL BE RAISED AND APPROPRIATED, AS AMENDED.

**Order no. FY 17-125**
**Financial Order 18-002**

**MOTION:** On a motion by Councilor Stempel, second by Councilor Mass, it was,
**MOVED:** THAT IT BE ORDERED, UPON RECOMMENDATION OF MAYOR MARTIN, AN ORDER TO APPROPRIATE $2,478,477 FOR THE FY2018 SEWER ENTERPRISE BUDGET.

ORDERED, THAT: THE SUM OF $2,478,477, WHICH IS THE FULL AMOUNT NECESSARY FOR THE FISCAL YEAR 2018 SEWER ENTERPRISE BUDGET (JULY 1, 2017 TO JUNE 30, 2018), BE APPROPRIATED FOR THE PURPOSES STATED AND TO MEET SAID APPROPRIATION, $2,478,477 WILL BE RAISED FROM SEWER USER RECEIPTS.

**DISCUSSION:** Councilor Stempel stated there would be a rate increase in Water and Sewer this year.

It was unanimously,
VOTED: TO APPROVE ORDER NO. FY 17 -125 Financial Order 18-002.

Order no. FY 17-126
Financial Order 18-003
MOTION: On a motion by Councilor Stempel, second by Councilor Mass, it was, MOVED: THAT IT BE ORDERED, UPON RECOMMENDATION OF MAYOR MARTIN, AN ORDER, TO APPROPRIATE $1,792,858 FOR THE FY2018 WATER ENTERPRISE BUDGET, ORDERED, THAT: THE SUM OF $1,792,858, WHICH IS THE FULL AMOUNT NECESSARY FOR THE FISCAL YEAR 2018 WATER ENTERPRISE BUDGET (JULY 1, 2017 TO JUNE 30, 2018), BE APPROPRIATED FOR THE PURPOSES STATED AND TO MEET SAID APPROPRIATION, $1,792,858 WILL BE RAISED FROM WATER USER RECEIPTS.

DISCUSSION: Councilor Mass suggested to setup a rate structure for water usage so those who use more water pay a higher rate.

It was unanimously,
VOTED: TO APPROVE ORDER NO. FY 17 -126 Financial Order 18-003.

Order no. FY 17-127
Financial Order 18-004
MOTION: On a motion by Councilor Stempel, second by Councilor Mass, it was unanimously, VOTED: THAT IT BE ORDERED, UPON RECOMMENDATION OF MAYOR MARTIN, AN ORDER TO ESTABLISH THE FOLLOWING REVOLVING FUNDS, ORDERED, THAT: THE TOWN COUNCIL AUTHORIZE THE FOLLOWING REVOLVING FUNDS IN ACCORDANCE WITH M.G.L CHAPTER 44, SECTION 53 E-1/2 FOR THE FISCAL YEAR 2018. RECEIPTS RECEIVED BUT NOT EXPENDED IN FISCAL YEAR 2018 SHALL BE CARRIED OVER TO FISCAL YEAR 2019, UNLESS OTHERWISE INDICATED BELOW AND IF THESE FUNDS ARE REAUTHORIZED FOR FISCAL YEAR 2019 BY THE TOWN COUNCIL. NO FURTHER APPROPRIATION SHALL BE MADE IN EXCESS OF THE BALANCE OF THE FUND NOR SHALL TOTAL EXPENDITURES FOR THE FISCAL YEAR EXCEED THE ANNUAL SPENDING LIMIT AS NOTED. THE AGGREGATE AMOUNT OF ALL REVOLVING FUNDS SO AUTHORIZED, IS NOT TO EXCEED $434,000.

Order no. FY 17 -108
1 of 7
MOTION: On a motion by Councilor Leonovich, second by Councilor Renaud, it was, MOVED: THAT IT BE ORDERED THAT THE TOWN COUNCIL OF GREENFIELD AMENDS THE ZONING ORDINANCE, CHAPTER 200, OF THE CODE OF THE TOWN OF GREENFIELD SECTION 200-2. 1 TERMS AND WORDS OF THE ZONING ORDINANCE BY AMENDING THE DEFINITION OF “FARM, POULTRY” TO READ AS FOLLOWS:
“FARM, POULTRY -- Premises used in the production of poultry and/or eggs, having more than ten (10) poultry. Premises on parcels of land less than 5 acres are allowed to have up to ten (10) poultry not to include males with the exception of young males raised for meat (“broiler chickens”) for human consumption. Premises used in the production of poultry and/or eggs, having more than ten (10) poultry or any adult male poultry shall require a special permit from the Zoning Board of Appeals.”
AND FURTHER AMENDS THE TABLE OF CONTENTS AND INDEX 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.
DISCUSSION: Councilor Leonovich noted the Economic Development Committee forwarded a recommendation to table the order for more efficient language for the definition.

MOTION: On a motion by Councilor Mass, second by Councilor Renaud, it was unanimously, TABLED: ORDER NO. FY 17 -108, 1 of 7.

Order no. FY 17 -109
2 of 7


Zoning Amendment #2

Amend Section 200-6.11. Driveways and entrances, Subsection D(3b) by revising the minimum width for Common Driveways from eighteen (18) feet to twenty (20) feet (As per 527CMR Chapter 18: Fire Department Access and Water Supply).

"D. Common driveways. The Planning Board may issue a special permit for a common driveway serving up to four (4) lots if the following minimum requirements are met:

(1) An easement providing permanent access for all properties served by the driveway shall be provided upon application and, if approved, recorded in the Registry of Deeds;

(2) The special permit shall state that the driveway is not a private road or a public road, that it does not meet the standards for a Town road, and that the driveway shall permanently remain a private driveway;

(3) The grade, length, and location of common driveways shall be constructed and maintained to provide:

(a) Adequate access and turnaround for vehicles, including sanitary and emergency vehicles, year round. A turnaround area shall be provided at the end of the driveway so that vehicles do not need to enter onto adjoining lots. The Planning Board may require passing turnouts depending on the length and design of the proposed driveway;

(b) A width of at least eighteen (18) twenty (20) feet. Drainage and culverts may be required where the Planning Board deems necessary;

(c) A maximum grade of ten percent (10%);

(d) A maximum length of five hundred (500) feet;

(e) The driveway entrance shall be located a minimum of fifty (50) feet from any street intersection;

(f) No parking areas or structures shall be allowed in the driveway right-of-way;

(g) The Planning Board may require a bituminous concrete surface;

DISCUSSION: Councilor Leonovich stated the EDC forwarded a unanimous positive recommendation for approval. President Allis stated all the proposed zoning amendments required nine affirmative votes to pass.
It was unanimously,
VOTED: TO APPROVE ORDER NO. FY 17 -109, 2 of 7.

Order no. FY 17 -110
3 of 7
MOTION: On a motion by Councilor Leonovich, second by Councilor Renaud, it was,
MOVED: THAT IT BE ORDERED THAT THE TOWN COUNCIL OF GREENFIELD AMENDS THE ZONING ORDINANCE, CHAPTER 200, OF THE CODE OF THE TOWN OF GREENFIELD AMEND SECTION 200-8.1. ENFORCEMENT OF THE ZONING ORDINANCE REQUIRING A CERTIFICATE OF OCCUPANCY BY ADDING A NEW SUBSECTION 5 TO READ AS FOLLOWS:

(5) Occupancy Permit. No building erected, altered, or in any way changed as to construction or use, under a permit or otherwise, shall be occupied or used without an occupancy permit, signed by the Inspector of Buildings. Such permit shall not be issued until the building and its uses, and the use incident thereto, comply in all respects with the Zoning Ordinance or with a decision of the Permit Granting Authority taken thereunder.”

AND FURTHER AMENDS THE TABLE OF CONTENTS AND INDEX 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.

DISCUSSION: Councilor Leonovich stated the EDC forward a recommendation to table to obtain further clarification regarding the occupancy permit.

MOTION: On a motion by Councilor Mass, second by Councilor Renaud, it was unanimously,
TABLED: ORDER NO. FY 17 -110, 3 of 7.

Order no. FY 17 -111
4 of 7
MOTION: On a motion by Councilor Leonovich, second by Councilor Renaud, it was,
MOVED: THAT IT BE ORDERED THAT THE TOWN COUNCIL OF GREENFIELD AMENDS THE ZONING ORDINANCE, CHAPTER 200, OF THE CODE OF THE TOWN OF GREENFIELD AMEND SECTION 200-8.4(F) OF THE ZONING ORDINANCE TO REQUIRE AS-BUILT PLANS FOR ALL APPROVED PROJECTS BY ADDING A NEW SUBSECTION F(3).

(3) The Applicant of all approved site plans shall provide an as-built plan prior to the issuance of a Certificate of Occupancy from the Inspector of Buildings.”

AND FURTHER AMENDS THE TABLE OF CONTENTS AND INDEX 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.

DISCUSSION: Councilor Leonovich stated the EDC forward a recommendation to table.

MOTION: On a motion by Councilor Mass, second by Councilor Renaud, it was unanimously,
TABLED: ORDER NO. FY 17 -110, 3 of 7.

Order no. FY 17 -112
5 of 7
MOTION: On a motion by Councilor Leonovich, second by Councilor Mass, it was,
MOVED: THAT IT BE ORDERED THAT THE TOWN COUNCIL OF GREENFIELD AMENDS THE ZONING ORDINANCE, CHAPTER 200, OF THE CODE OF THE TOWN OF GREENFIELD AMEND SECTION 200-8.4(G) OF THE ZONING ORDINANCE TO READ AS FOLLOWS:

“G. Appeals. Decisions on site plans reviewed by the Inspector of Buildings or the Planning Board may be appealed to the Zoning Board of Appeals in accordance with ~ 200-8.6 of this ordinance and with Sections 8 and 15 of the Zoning Act, MGL c. 40A. Decisions on site plans reviewed by the Planning Board or by a Special Permit Granting Authority as part of a special permit application may be appealed to superior court in accordance with Section 17 of the Zoning Act, MGL c. 40A.

AND FURTHER AMENDS THE TABLE OF CONTENTS AND INDEX 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.

DISCUSSION: Councilor Maloni questioned the amendment noting it appeared to give quite a bit of authority to the Planning Board. It was noted this language was already part of the law, our ordinance was being brought into compliance.

It was unanimously,
VOTED: TO APPROVE ORDER NO. FY 17 -112, 5 of 7.

Order no. FY 17 -113
6 of 7
MOTION: On a motion by Councilor Leonovich, second by Councilor Pyfrom, it was,

AND FURTHER AMENDS THE TABLE OF CONTENTS AND INDEX 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.

~ 200-7.17. Medical Marijuana Dispensaries/Treatment Centers [Added by the Town Council on November 20, 2013]
A. Purpose
By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law became effective on January 1, 2013 and the State Department of Public Health has issued regulations for the implementation of this law (105 CMR 725). The purpose of this ordinance is to provide for the establishment of Medical Marijuana Dispensaries/Treatment Centers in appropriate places and under strict conditions, to minimize the adverse impacts of Medical Marijuana Dispensaries/Treatment Centers on adjacent properties, residential neighborhoods, schools and other places where children congregate, and other land uses potentially incompatible with said facilities, and to regulate the siting, design, placement, security, safety, monitoring, modification, and removal of Medical Marijuana Dispensaries/Treatment Centers.

B. Definitions
MEDICAL MARIJUANA DISPENSARY / TREATMENT CENTER -- A not-for-profit entity registered under 105 CMR 725.100, to be known as a registered marijuana dispensary (RMD), that
acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of marijuana. These facilities shall be located inside a structure or building.

MARIJUANA -- The same substance defined as “marihuana” under Chapter 94C of the Massachusetts General Laws.

MARIJUANA FOR MEDICAL USE -- Marijuana that is designated and restricted for use by, and for the benefit of, Qualifying Patients in the treatment of Debilitating Medical Conditions as set forth in 105 CMR 725.

C. Applicability
   (1) The commercial cultivation production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of Marijuana for Medical Use is prohibited unless permitted as a Registered Marijuana Dispensary under this Section.
   (2) No RMD shall be established except in compliance with the provisions of this Section.
   (3) Nothing in this Ordinance shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.
   (4) If any provision of this Section or the application of any such provision to any person or circumstance shall be held invalid, the remainder of this Section, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this Section are severable.

D. Eligible Locations for Registered Marijuana Dispensaries
   Registered Marijuana Dispensaries may be allowed by Special Permit from the Zoning Board of Appeals in the Central Commercial (CC), General Commercial (GC), General Industry (GI), Health Service (H), and Limited Commercial (LC) Zoning Districts provided the facility meets the requirements of this Section.

E. General Requirements and Conditions for all Registered Marijuana Dispensaries
   (1) All non-exempt RMDs shall be contained within a building or structure.
   (2) A Registered Marijuana Dispensary shall not be located in buildings that contain any medical doctors’ offices or the offices of any other professional practitioner authorized to prescribe the use of medical marijuana.
   (3) The hours of operation of Registered Marijuana Dispensaries shall be set by the Special Permit Granting Authority, but in no event shall said RMD be open and/or operating between the hours of 9:00 PM and 7:00 AM.
   (4) No Registered Marijuana Dispensary shall be located within a radius of one-hundred (100) feet of school, daycare center, park, playground, or youth center. The one-hundred (100) foot distance under this section shall be measured in a straight line from the nearest point of the facility in question to the nearest point of the proposed RMD.
   (5) No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of an RMD.
   (6) No Registered Marijuana Dispensary shall be located inside a building containing residential units, including transient housing such as motels and dormitories, or inside a movable or mobile structure such as a van or truck.
   (7) Signage for the RMD shall include the following language: “Registration card issued by the MA Department of Public Health required.” The required text shall be a minimum of two inches in height.
   (8) Registered Marijuana Dispensaries shall provide the Greenfield Police Department, Building Inspector and the Special Permit Granting Authority with the names, phone numbers and email addresses of all management staff and keyholders to whom one can provide notice if there are
operating problems associated with the establishment.

F. Special Permit Requirements

1. A Registered Marijuana Dispensary shall only be allowed by special permit from the Zoning Board of Appeals in accordance with M.G.L. c. 40A, §9, subject to the following statements, regulations, requirements, conditions and limitations.

2. A special permit for a Registered Marijuana Dispensary shall be limited to one or more of the following uses that shall be prescribed by the Special Permit Granting Authority:
   
   a. cultivation of Marijuana for Medical Use (horticulture);
   b. processing and packaging of Marijuana for Medical Use, including Marijuana that is in the form of smoking materials, food products, oils, aerosols, ointments, and other products;
   c. retail sale or distribution of Marijuana for Medical Use to Qualifying Patients;

3. In addition to the application requirements set forth in Sections E and F of this Ordinance, a special permit application for a Registered Marijuana Dispensary shall include the following:
   
   a. the name and address of each owner of the facility;
   b. copies of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the RMD;
   c. evidence of the Applicant’s right to use the site of the RMD for the RMD, such as a deed, or lease;
   d. if the Applicant is a business organization, a statement under oath disclosing all of its owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of the owners of such entities until the disclosure contains the names of individuals;
   e. a certified list of all parties in interest entitled to notice of the hearing for the special permit application, taken from the most recent tax list of the town and certified by the Town Assessor;
   f. proposed security measures for the Registered Marijuana Dispensary, including lighting, fencing, gates and alarms, etc., to ensure the safety of persons and to protect the premises from theft.

4. Mandatory Findings. The Special Permit Authority shall not issue a special permit for a Registered Marijuana Dispensary unless it finds that:
   
   a. the RMD is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in M.G.L. c. 40A, §11;
   b. the RMD demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations; and
   c. the Applicant has satisfied all of the conditions and requirements of Sections 7.17(E) and 7.17(F) herein;

5. Annual Reporting. Each Registered Marijuana Dispensary permitted under this Ordinance shall as a condition of its special permit file an annual report to and appear before the Special Permit Granting Authority and the Town Clerk no later than January 31st, providing a copy of all current applicable state licenses for the Facility and/or its owners and demonstrate continued compliance with the conditions of the Special Permit.

6. A special permit granted under this Section shall have a term limited to the duration of the Applicant’s ownership of the premises as a Registered Marijuana Dispensary. A special permit may be transferred only with the approval of the Special Permit Granting Authority in the form of an amendment to the special permit with all information required in this Section.

7. The Board shall require the Applicant to post a bond at the time of construction to cover costs for the removal of the Medical Marijuana Dispensary/Treatment Center in the event the Town must remove the facility. The value of the bond shall be based upon the ability to completely
remove all the items noted in 7.17(G)(2) and properly clean the facility at prevailing wages. The value of the bond shall be developed based upon the Applicant providing the Special Permit Granting Authority with three (3) written bids to meet the noted requirements. An incentive factor of 1.5 shall be applied to all bonds to ensure compliance and adequate funds for the Town to remove the facility at prevailing wages.

G. Abandonment or Discontinuance of Use
   (1) A Special Permit shall lapse if not exercised within one year of issuance.
   (2) A Medical Marijuana Dispensary / Treatment Center shall be required to remove all material, plants equipment and other paraphernalia prior to surrendering its state issued licenses or permits; or within six months of ceasing operations; whichever comes first.

DISCUSSION:
Councilor Leonovich stated the EDC forwarded a unanimous positive recommendation. It was noted that Treatment Center could not be part of a Medical Marijuana Dispensary.

It was unanimously,
VOTED: TO APPROVE ORDER NO. FY 17 -112, 6 of 7.

Order no. FY 17 -114
7 of 7

MOTION: On a motion by Councilor Leonovich, second by Councilor Mass, it was,
MOVED: THAT IT BE ORDERED THAT THE TOWN COUNCIL OF GREENFIELD AMENDS THE ZONING ORDINANCE, CHAPTER 200, OF THE CODE OF THE TOWN OF GREENFIELD AMEND SECTION 200-8.4, SUBSECTION C2 OF THE ZONING ORDINANCE BY CHANGING BUILDING INSPECTOR TO INSPECTOR OF BUILDINGS AND BY ADDING THE BOARD OF HEALTH SO THAT IT READS AS FOLLOWS:

“~ 200-8.4. Site plan review and approval.

C. Procedures.
   (2) The reviewing authority shall within ten (10) days of receiving the application transmit one copy of the site plan to the Department of Public Works, Fire Department, Building Inspector, Inspector of Buildings, Zoning Board of Appeals, Planning Board, Conservation Commission,
Greenfield Town Council

**Board of Health**, and Historic Commission for review and comment. Failure to comment within thirty (30) days shall be deemed as no objection to the site plan.

AND FURTHER AMENDS THE TABLE OF CONTENTS AND INDEX 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.

**DISCUSSION:** Councilor Leonovich stated the EDC forwarded a unanimous positive recommendation. It was noted this notification already occurred this made it official.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 17 -114, 7 of 7.

**Order no. FY 17-115**

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

**MOVED:** THAT IT BE ORDERED THAT THE TOWN COUNCIL OF GREENFIELD AMEND THE ZONING ORDINANCE, CHAPTER 200, BY ADDING NEW SECTION “200-4.18 TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS” AS ATTACHED HERETO AS “EXHIBIT A” AND FURTHER AMENDS THE TABLE OF CONTENTS AND INDEX 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.

**TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS**

**Section 200-4.18 - Purpose:**

On November 8, 2016, the voters of the commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes (new G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The law, which allows certain personal use and possession of marijuana, took effect on December 15, 2016 and (as amended on December 13, 2016; Chapter 351 of the acts of 20160 requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting applications for licenses on April 1, 2018. Currently under the zoning ordinance, a non-medical Marijuana Establishment (hereinafter, a “Recreational Marijuana Establishment”), as defined in G.L. c. 94G, s. 1, is not specifically addressed in the Zoning Ordinance. Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of local regulation of recreational Marijuana Establishments. The regulation of recreational marijuana raises novel legal, planning, and public safety issues, and the City needs time to study and consider the regulation of Recreational Marijuana Establishments and address such issues, as well as address the potential impact of the state regulations on local zoning and to undertake a planning process to consider amending the Zoning Ordinance regarding regulation of Recreational Marijuana Establishments. The City intends to adopt a temporary moratorium on the use of land and structures in the town for Recreational Marijuana Establishments so as to allow sufficient time to address the effects of such structures and uses in the City and to enact ordinances in a consistent manner.

**Section 200-4.18 - Definition:**

“Recreational Marijuana Establishment” shall mean a “marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business.”

**Section 200-4.18 - Temporary Moratorium:**
For the reasons set forth above and notwithstanding any other provision of the Zoning Ordinance to the contrary, the City hereby adopts a temporary moratorium on the use of land and structures for a Recreational Marijuana Establishment and other uses related to recreational marijuana. The moratorium shall be in effect through June 30, 2018 or until such time as the City adopts Zoning Ordinance amendments that regulate Recreational Marijuana Establishments, whichever occurs earlier. During the moratorium period the City shall undertake a planning process to address the potential impact of recreational marijuana in the City, and to consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments, and shall consider adopting new Zoning Ordinances in response to these new issues. Or take any action relative thereto.

**DISCUSSION:** Councilor Leonovich stated the EDC forwarded a majority positive, 4 yes and 1 no, recommendation. Councilor Ricketts was the dissenting vote so as not to put barriers up for the State. President Allis stated this was identical language previously approved for a medical marijuana moratorium. The Planning and Zoning Board were working on language.

It was by majority, 1 no,  
**VOTED:** TO APPROVE ORDER NO. FY 17-115.

**Order no. FY 17-129**  
**MOTION:** On a motion by Councilor Childs, 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 CHAPTER 046 CIVIL RIGHTS OFFICER ORDINANCE 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 046**  
**CIVIL RIGHTS OFFICER**  
[History: Adopted by the Town Council of the Town of Greenfield on DATE. Subsequent amendments noted where applicable.]

| § 46-1. | Preamble | § 46-3. | Duties |
| § 46-2. | Definitions | § 46-4. | Limitations |

§ 46-1: Preamble:
The Town of Greenfield understands the importance of establishing direct and personal relationships between law enforcement and members of our community. This is particularly true for members of groups who are sometimes the targets of harassment, discrimination, or hate crimes.

In an effort to improve communication and to ensure that there are individuals in place who can serve as liaisons from law enforcement to those groups or their members, the Town of Greenfield establishes and defines the role of the Civil Rights Officer. The purpose of this position is to build relationships with the public so that law enforcement can be of assistance in meeting the objectives of good and appropriate communication between with victims and the community at large.

§ 46-2: Definitions:  
A. "Civil Rights Officer" shall be a Police Officer assigned by the Chief of Police to serve as the liaison between the community, the victim and the Police Department where alleged hate crimes are concerned.

B. "Hate Crime" shall be any crime defined as such under Massachusetts General Law.

§ 46-3: Duties:  
The Civil Rights Officer shall:
Greenfield Town Council
May 17, 2017

A. Receive regularly specialized training in the area of working with people from diverse backgrounds and with special needs;
B. Act as the liaison to the Human Rights Commission;
C. Attend Human Rights Commission meetings as requested;
D. Serve as a link between victims of Hate Crimes and victims and the police department;
E. Update the community through the Human Rights Commission of the status of reported hate crimes in the community as is permitted by law and good law enforcement practice;
F. Keep track of Hate Crimes committed in Greenfield and assist in the reporting of the same as required by state and federal law;
G. Assist in the training of other officer in how to respond to the needs of victims of Hate Crimes;
H. Other duties as assigned by the Chief or Police or the Public safety Commission.

§ 46-4: Limitations:
   Nothing in this Chapter should be read as preventing the Chief of Police from designating him or herself as Civil Rights Officer or designating more than one Civil Rights Officer.

DISCUSSION: Councilor Childs stated the Appointment and Ordinance Committee forwarded a unanimous positive recommendation. Comments included:
- Review of the year long process to reach this compromised language.
- Follow up by the Town Council to ensure this was being followed.
- Appreciate the effort but disappointed with the lack of strength in the ordinance.
- Carries a message with more strength than a resolution that Greenfield doesn’t tolerate hate.
- Appreciate putting words into action.
- People should not be allowed to harass other people and should be held accountable for their actions.
- This will not change people’s hearts but it will give a point of reference and this action will precipitate change.

It was unanimously,
VOTED: TO APPROVE ORDER NO. FY 17-129.

Order no. FY 17-123
MOTION: On a motion by Councilor Childs, second by Councilor Maloni, it was,
MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL VOTE TO “OPT OUT” OF REMOTE PARTICIPATION AUTHORIZED BY EXECUTIVE ORDER OF THE MAYOR DATED SEPTEMBER 1, 2015.

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

It was by majority, 2 no,
VOTED: TO APPROVE ORDER NO. FY 17-123.

Order no. FY 17-130
MOTION: On a motion by Councilor Childs, second by Councilor Renaud, it was,
THAT IT BE ORDERED THAT THE TOWN OF GREENFIELD SHALL ESTABLISH AN ELECTED AND APPOINTED OFFICIAL COMPENSATION ADVISORY BOARD OF 5 MEMBERS, 2 APPOINTED BY THE MAYOR, 3 APPOINTED BY THE TOWN COUNCIL
The Town Council President will appoint, 1 former elected or appointed person from the Town of Greenfield; 1 former employee of the Town of Greenfield either union or non union; 1 Greenfield resident tax payer and the mayor will appoint, 1 member currently working in human resources or with experience in human resources and may or may not be employed by the Town of Greenfield; 1 member currently working in accounting or related work and may or may not be employed by the Town of Greenfield. The Board is tasked with reviewing the equity compensation, benefits and expense allowances of the municipal elected and appointed officials and report its findings and recommendation to the mayor and Town Council. The report and recommendation shall be submitted within 6 months of the Board’s formation. The Board’s composition shall include 1 member with expertise in the area of human resources – 1 member with expertise in the area of accounting – 1 former elected official within the Town of Greenfield – 1 former employee of the Town Employee’s unions – 1 tax payer advocate.

Discussion: Discussion was held regarding the reasons for deleting this adhock committee.

It was unanimously,

Voted: To approve Order No. FY 17 -130.

Presentation of Petitions and Similar Papers: None.

Reports of Committees: None.

Unfinished Business: None.

Old Business: None.

New Business: Councilor Stempel held the following first reading:

- The Sum of $300,000 to be appropriated from the available funds listed as follows for the acquisition and construction of the new DPW Modular Office building to be located at 209 Wells Street, Town Yard.
  - Released Overlay Surplus in the amount of $95,000
  - Water Retained Earnings in the amount of $100,000
  - Sewer Retained Earnings in the amount of $105,000
  - Total appropriated $300,000

Councilors announced the following:

- Councilor Ricketts stated she would bring in a card for Councilor to sign thanking Marina Osit.
- There will be a community clean up at Hillside Park on Sunday, May 20, 2017 from 9:00 am to noon.
- There will be a Recreation Commission meeting at 6:00 pm on Thursday, May 18, 2017 regarding a Skate Park.
- There will be a memorial service for Betty Nee on May 22, 2017 at 5:00 pm at Greenfield High School.

Motions for Reconsideration: None.

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

Voted: To adjourn the meeting at 10:27 P.M.

A true copy,
GREENFIELD TOWN COUNCIL MEMBERS

GCTV-15
Regular Meeting
March 17, 2016

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<tr>
<th>Attendance</th>
<th>Budget 1% Amendment</th>
<th>School Amendment</th>
<th>Operating Budget as amended</th>
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<tr>
<td>1. Sund, Verne</td>
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<td>2. Lobik, John</td>
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<td>3. Allis, Brickett</td>
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<td>4. Muzyka-Pyfrom, Wanda</td>
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<td>5. Wainstein, Robert</td>
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<td>6. Burge, Maria</td>
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<td>7. Childs, William</td>
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<td>9. Leonovich, Daniel</td>
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<td>10. Mass, Isaac</td>
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<td>11. Renaud, Karen</td>
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<td>12. Ricketts, Penny</td>
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<td>13. Maloni, Mark</td>
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7 Yes 6 Yes 8 Yes
6 No 7 No 5 No