

GREENFIELD TOWN COUNCIL
Emergency Meeting
Thursday, August 2, 2018 at 6:00 pm
John Zon Community Center,
Community Meeting Space,
35 Pleasant Street, Greenfield, MA

CALL TO ORDER: Meeting was called to order at 6:10 p.m. by President Renaud.

President Renaud 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, Chris Collins and Mary Serreze of *the Republican* was audio recording and GCTV-15, 22 News and Western Mass News were video recording the meeting.

ROLL CALL OF MEMBERS: Roll Call was taken. Councilors Pyfrom and Wheeler were absent. Councilor Stempel arrived at 7:04pm. Councilor Allis left at 7:22pm. Councilor Lobik left at 8:05 pm.

ALSO PRESENT: Mayor William Martin; Town Clerk Kathryn J. Scott; Director of Administration Mark Smith; Library Director Ellen Boyer; Director of IT Fernando Fleury; Support Specialist IT Gene Howard; Fire Chief Robert Strahan;; GCTV-15 staff; Dan Desrochers, *the Recorder*; Mary Serreze, *the Republican*; 22 News; WMass News and members of the public.

MOTION: On a motion by Councilor Allis, second by Councilor Mayo, it was unanimously,
VOTED: THAT IT BE ORDERED, THAT THE GREENFIELD TOWN COUNCIL WAIVE THE RULES OF PROCEDURE, 8 ORDER AND DISPOSITION OF BUSINESS.

PUBLIC COMMENT: The following members of the public spoke:

- MJ Adams, City of Greenfield Community Development, spoke in support of Mayor Martin's request to modify the Town's Code that would bring the use of the Town Common into alignment with other Town owned lands. She thanked the City Organizers of the Public Resource Fair that helped provide information to people in the Town Common. Ms. Adams spoke to creating a task force to address Stop Gap shelter needs for the upcoming winter season and development of additional single room occupancy units in Greenfield. She requested the Council adopt this modification with an effective date in mid September.
- Garrett Connelly, 84 Congress Street, spoke to the homeless problem getting worse and the behavior of the Nation that's causing this problem. He suggested the Council reach out to other Towns to combat problem and offering his services if asked.
- Hazel Dawkins, 91 Smith Street, spoke to her experience helping the homeless in Philadelphia.
- Michael Penn-Strah, 68 Crescent Street, spoke to opening the Church he was a member of for 30 minutes for the people in the common to use their facilities. He hoped the Council would find safe camping grounds as soon as possible; need to address shortage of shelter space immediately; must use all of our resources and capabilities to provide more safe and affordable housing.
- Ginny Desorgher, 43 Silvercrest, spoke to consciousness and support of homeless in the common. She requested donations of for bath towels, water bottles and tarps for the homeless.

- Hillary Hoffman, 30 Abbott Street, spoke to the importance of listening to the people on the Common and the agencies who are already supporting them. She does not support restrictive use of the Common.
- Henry Albin, 308 Main Street, works in the architect's office that is directly across from the Commons. He feels this is short sighted and not a plan to fix this, just to hide the problem.
- Caitlen McKenna, 189 Chapman Street, spoke to the Town coming out to show their support and care for their Town, regardless of viewpoints. She has concerns about issues with sanitation and hopes it will be handled immediately.
- Mirinda Scappace, 90 High Street, spoke to the smoking on the Town Common, which is illegal.
- John Griffin, 89 West Street, Chairperson on the Conservation Commission, spoke against the proposal to prohibit the Town Common outside of specific hours. As Chairperson he has a proposal that mentions providing a camping sight at Woodruff Gardens.
- April Jones, 87 Stone Ridge Lane, President of Stone Soup Café, spoke to dignity and justice and equity and compassion for all persons. He strongly opposes the restrictions on the Town Common as discriminatory and shameful.
- Liza Knapp, 191 Conway Street, Pastor in the United Church of Christ and a Member of the Interfade Council of Franklin County, spoke to the concerns and needs to the homeless on the Common. Asks that the Council have a plan in place before the homeless are removed from the Common.
- Candi Dodge, 75A Wells Street, #110, Commission on Disability Access, spoke to the disabilities that some of the people on the Common have. Started a task force called the "Homeless and On the Edge" task force.
- Andy Killeen, 104 Wells Street, spoke to use of the Common in the legal sense, and people's conduct on the Common. Would appreciate Town Council to set boundaries on the Town Common in terms of conduct tonight.
- Alyssa Valbona, 80 Conway Street, spoke in opposition to any regulations regarding use of the Town Common. She spoke to her experience working in Health and Human Services in Franklin County for past 7 years.
- Steve Fandell, 50 James Street, spoke to his experience living "houseless" by choice and sharing food in a school bus with a kitchen. There needs to be a safe and sanitary place for the people on the Common to go before they are moved.
- Sara Penn-Strah, 68 Crescent Street, urges Councilors not the change restrictions regarding use of the Town Common and find long term solutions for housing.
- Richard Perry, Homeless, spoke to trying to get help and how the homeless need a safe place to go.
- Madelynn Malloy, Homeless, recited Chapter 151, Section 4 stating that it is not illegal to smoke on the Town Common. She spoke to her experience after losing home.
- David Gleason, 165 Chapman Street, spoke to the issues arising from people living on the Common. He hoped the Town will come up with solutions.
- Peter Pavone, 3A Huntington Circle, spoke to owners of empty buildings working with services to get the homeless a place to stay.
- Lance Smith, 54 High Street Apt 103, spoke to experience being homeless and encouraged Council not to move homeless from Town Common until there was a safe, sanitary place to go.
- Maryelen Calderwood, 82 Sanderson Street, spoke to allowing the homeless to stay on Common until a solution to relocate them is in place.

- Wendy Goodman, 529 Green River Road, spoke to the growing crisis with homelessness and the need for a more permanent solution instead of a “quick fix” and opposes the proposed ordinance.
- Clare Higgins, 106 Laurel Park, Northampton, Executive Director of Community Action in Pioneer Valley, an agency that covers Franklin and Hampshire counties, feels the deadline set was improper and does not give enough time. She spoke to national crisis of the lack of affordable housing.
- Melissa Osborne, 11 4th Street #8, Turner’s Falls, opposed to moving the homeless to a campground that had risks of flooding and propose the use of Energy Park. She urged Councilors to find more permanent solutions.
- Carol Deadmond, 5 Harris Court, spoke to an idea she forwarded to the Chief of Police in regards to using a building on Main Street for the homeless.
- Annie Hassett, 21 Leonard Street, requested moment of silence to commemorate the meeting for the Town getting together for this issue. She spoke to what the Common area represented to the Town and how we can solve this issue together.
- Jon Unaitis, 83 Shelburne Road, spoke to how everyone can get off the streets and get a job. He spoke of putting up a barrier between his back yard and Wedgewood Gardens due to his experiences with past festival goers if they are deciding to move the homeless to that area.
- Susan Worgattic, 45 Forest Avenue, spoke about the use of public resources for a permanent solution.
- Shannon Kenny, 142 School Street, opposed changes to the accessibility of the Town Common and moving the homeless to the Wedgewood Gardens.
- Nathan Provost, 32 Linwood Street, encouraged Council to bring rational thinking and rational solutions to this situation. He hoped there was a legal solution.
- Douglas Wight, 237 Conway Street, spoke to his experience with homelessness. He proposed setting up two hotlines – one to suggest solutions to the homeless crisis or to offer shelter to someone if they have something available; the other would be a fund raising hotline to offer help in the form of monetary means.
- Rachel Gordon, 10 Eastern Avenue, spoke to the admiration towards the people currently living on the Common for their perseverance with their situation. She opposed changing use of the Common without a safer place for the homeless to go. She had no objections to raising property taxes to get more money for services.
- Marianne Bullock, 179 Hope Street, opposed the ordinance. She spoke to experience with helping people with housing system.
- Maria Burge, 29 Garfield Street, spoke to providing services to the homeless and invited anyone to pick up resources material that will be provided. She thanked the Council for trying to help with solutions.
- Dorothy McGuinn, 88 Columbus Avenue, opposed the ordinance and shared experiences helping people with affordable housing. She thanked Council for their time and energy in finding solutions.
- Tom Kendrick III, 60 Wells Street, at the Shelter, spoke to his experiences having a job and not able to get affordable housing.
- Travis Drury, 74 High Street, opposed changing the ordinance relating to the Town Commons.
- Kate Stevens, Fiscal Agent for the Franklin County Interfaith Council, spoke regarding efforts that were made to raise funds.
- Jen Peralt, 258 Chapman Street, worked for non- profit, spoke to numerous issues for which there are no simple solutions. She suggested contacting your State Representative and

Legislators for help with solutions and resources. She also suggested forming a Committee for Community Resources.

- David Levitt, 4 Fairview Terrace, thanked Councilors for their diligence and listening to the people who have spoken.
- Bob Morin, Homeless, commented that it's not what's seen it's what's done that makes the difference.

President Renaud closed the Public Hearing at 8:11 pm. She thanked everyone who came and spoke and to the courage of the people who reside on the Common to come here to express their opinions and comments.

COMMUNICATIONS:

MAYOR: Mayor Martin spoke regarding:

- A Resource Fair on the Common.
- Round table with Non-Profits that engage with the homeless and their clients.
- Provided two people to network to have additional meetings.
- Provided a "Best Practices List" that showed what other Towns and Cities were doing in regards to this issue.
- Two primary goals: 1) Emergency temporary housing and 2) Limited long term housing.
- Rapid Re-Housing team with the help of services such as the Salvation Army, Community Action, Service Net, etc.
- Create a task force for the upcoming winter season in regards to shelter availability.
- Bring in members of the Affordable Housing Authority for long term solutions.

Questions and answers for the Mayor from the Town Council were regarding:

- Concerns restricting the use of the Town Commons and charging fines for trespassing.
- Rapid Re-Housing team that was not applied before the issue with the homeless on the Town Common.
- Clarification for more temporary housing solution.
- List of property owners who had empty buildings.
- Non ability of use the Green River School for temporary housing.
- Mayor read from handout regarding issues with homeless encampments.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 19-14

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

MOVED: THAT IT BE ORDERED THAT A NEW ORDINANCE RELATIVE TO RELIGIOUS ORGANIZATIONS HOSTING THE HOMELESS.

AN ORDINANCE ENABLING RELIGIOUS ORGANIZATIONS TO PROVIDE SHELTER FOR THE HOMELESS

1) PURPOSE

MANY HOUSES OF WORSHIP IN THE TOWN OF GREENFIELD ARE WILLING TO USE THEIR FACILITIES AS PLACES WHERE THE HOMELESS COULD SEEK SHELTER. THE LARGEST IMPEDIMENT TO THIS ARE THE COSTS OF ADHERING TO THE INSPECTION CODE. THIS ORDINANCE WOULD LIFT SOME OF THOSE REQUIREMENTS, ENABLING HOUSES OF WORSHIP TO PROVIDE MUCH NEEDED ASSISTANCE TO THOSE IN NEED, WITHOUT INCURRING EMORMOUS COSTS.

- 2) TEMPORARY ENCAMPMENTS AND HOUSING FOR THE HOMELESS HOSTED BY HOUSES OF WORSHIP
- (1) A RELIGIOUS ORGANIZATION MAY HOST TEMPORARY ENCAMPMENTS OR PROVIDE SHELTER FOR THE HOMELESS ON PROPERTY OWNED OR CONTROLLED BY THE RELIGIOUS ORGANIZATION WHETHER WITHIN BUILDINGS LOCATED ON THE PROPERTY OR ELSEWHERE ON THE PROPERTY OUTSIDE OF BUILDINGS.
 - (2) THE TOWN OF GREENFIELD WILL LIFT THE RESTRICTIONS THAT:
 - (a) IMPOSES CONDITIONS OTHER THAN THOSE NECESSARY TO PROTECT PUBLIC HEALTH AND SAFETY AND THAT DO NOT SUBSTANTIALLY BURDEN THE DECISIONS OR ACTIONS OF A RELIGIOUS ORGANIZATION REGARDING THE LOCATION OF HOUSING OR SHELTER FOR HOMELESS PERSONS ON PROPERTY OWNED BY THE RELIGIOUS ORGANIZATION;
 - (b) REQUIRES A RELIGIOUS ORGANIZATION TO OBTAIN INSURANCE PERTAINING TO THE LIABILITY OF A MUNICIPALITY WITH RESPONECT TO HOMELESS PERSONS HOUSED ON PROPERTY OWNED BY A RELIGIOUS ORGANIZATION OR OTHERWISE REQUIRE THE RELIGIOUS ORGANIZATION TO INDEMNIFY THE MUNICIPALITY AGAINST SUCH LIABILITY.
 - (3) FOR THE PURPOSES OF THIS SECTION, “RELIGIOUS ORGANIZATION” MEANS THE FEDERALLY PROTECTED PRACTICE OF A RECOGNIZED RELIGIOUS ASSEMBLY, SCHOOK, OR INSTITUTION THAT OWNS OR CONTROLS REAL PROPERTY.

DISCUSSION: President Renaud noted this was not a permanent solution but something to put into place before the colder months. Other discussion:

President Renaud accepted a “Friendly Amendment” made by Councilor Mass to add “in the zoning code of the Town of Greenfield shall be amended to be in compliance herewith.”

- If motion was tabled it can be addressed again at the regular meeting on August 15th to allow more research into what Municipal, State and Federal laws would be affected.
- Councilor Sund offered to be a liaison between the Council and Churches.
- Fire Chief Robert Strahan explained Building and Fire Code Regulations for temporary, emergency and permanent shelters.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 19-14

MOTION: On a motion by Councilor Gilmour, second by Councilor Mayo, it was,

MOVED: THAT IT BE ORDERED TO RESOLVE TO CALL UPON MAYOR TO PLACE A PORT –A- POTTY ON TOWN COMMON.

DISCUSSION: Discussion included:

- Unknown the cost of a Port –A- Potty.
- Informed that Interface Council would pay for one.
- One could be put in a parking spot by the Farmer’s Market shed.

Councilor Gilmour made a Friendly Amendment “to resolve to call upon the Mayor to place a Port –A- Potty in the parking spot by the Farmer’s Market she by tomorrow.”

It was unanimously, 1 abstain

VOTED: TO RESOLVE TO CALL UPON THE MAYOR TO PLACE A PORT –A –POTTY IN THE PARKING SPOT BY THE FARMER’S MARKET SHED BY TOMORROW.

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

MOVED: THAT IT BE ORDERED FOR THE PRESERVATION OF THE TOWN COMMON

1. Purpose.

The Greenfield Town Common is a location for community gathering, recreation, and expression of first amendment rights by all persons. This location is intended for public use and must be maintained in an orderly and safe condition. The space includes a memorial to the fallen soldiers who served the United States in the Civil War. It is the location of world renowned Poet Fredrick Goddard Tuckerman’s dedication to that memorial. The grounds, flower beds, trees and structures are all owned and maintained by the Town. The costs of landscaping and repairs to amenities can be expensive. Repair and reseeded of the grounds can make the grounds unsuitable for use for significant periods of time. This ordinance is designed to preserve and protect the memorial, grounds, beds and structures while minimizing the costs and duration of any remediation from over-use.

2. Permanent Erections

No permanent structure of any kind shall be erected on the Town Common without approval of the Mayor and a vote of the Town Council.

3. Temporary Attachment

No article shall be temporarily attached to any existing tree or structure on the Town Common in such a manner so as to permanently damage the property. This shall include but not be limited to affixing material by nail or screw, and the use of paint.

No article shall be temporarily attached to any existing tree or structure on the Town Common without approval from the Board of License Commissioners. This shall not include the placement of a sign or wreath in the ground by framed stakes no greater one quarter inch in diameter, which shall be allowed without permit while in the presence of the persons erecting.

4. Protection of the grass

No tents, mattresses, sleeping bags, plastic sheeting, tarps or other material exceeding two square feet, shall be spread on the grass without approval of the Board of License Commissioners.

Exempted from the rule shall be yoga mats, towels and picnic blankets used for a period not to exceed two hours.

5. Limits of excessive use

Overnight sleeping and activities occupying more than 5% of the Town Common shall not be permitted for periods of more than four consecutive hours without a Permit from the Board of license commissioners.

6. Disability Access

No activity that impeded the ability of any person with or without a disability from accessing all areas of the Common accessible by walk way shall be permitted.

7. Penalties.

Violations of the provisions of this ordinance shall carry a fine of \$50.00 for the first offense, \$100.00 for the second offense and subsequent offenses.

8. Enforcement.

The Greenfield Police Department and other designees of the Board of License Commissioners shall have the power to enforce this ordinance through non-criminal disposition. Enforcement of this ordinance shall include the power to disburse from the scene any party issued a citation or warning for violation of this ordinance.

And by allowing the Town Clerk to make non-substantive changes to the numbering and formatting so as to be consistent with the remainder of the Code.

Rationale:

The Town spent a significant sum of money and man power to reseed the Town Common last spring due to over use. During the reseeding of the Town Common, the bulk of the property was completely unusable. The current incidence of homeless encampments on the Town Common put it at risk for the same damage to occur. The remainder of the ordinance is a codification of long time Board of License Commissioner policies which is appropriate given amendments to the Assemblies ordinance that allows most demonstrations to form without notice or oversight by the BOLC. Amending 346-2 allows an escape valve for the current homeless population to relocate to a larger and better shaded piece of property more suitable for camping, whose landscaping is less manicured and includes more shade and more protection from the dangers of regular vehicular traffic immediately adjacent. Wedgewood Gardens is also well contained with close for law enforcement identification if needed. it is centrally located close to Down Town so as to allow the homeless to access services. This location does not allow permanent erections and is unsuitable for any development due to FEMA restrictions. While ultimately, connecting homeless individuals with the appropriate social service agencies is the remedy to the problem of transience, as a temporary measure this recognizes the real issue and provides a more appropriate outlet than the Town Common.

DISCUSSION: Councilors stated they cannot support this ordinance.

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

MOVED: TO TABLE MOTION

It was unanimously, 1 abstain

TABLED: MOTION THAT IT BE ORDERED FOR THE PRESERVATION OF THE TOWN COMMON

President Renaud stated another meeting would be held to discuss this issue on either August 7th or August 8th about 7:00 pm.

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

MOVED: THAT IT BE ORDERED TO AMEND THE CODE OF TOWN OF GREENFIELD §346-2 BY ADDING AFTER THE WORDS “TOWN COMMON”, AND BEFORE THE WORDS “AND CONSERVATION LANDS”, THE WORDS “, MUNICIPALLY OWNED PROPERTY ALONG KIMBALL DRIVE OFF COLRAIN STREET, KNOW AS WEDGEWOOD GARDENS.

MOTION: On a motion by Councilor Renaud, second by Councilor Gilmour, it was, by Roll Call, Yes 3, No 5,

DEFEATED: TO MAKE AN AMENDMENT TO ADD ENERGY PARK.

President Renaud stated the original motion was on the floor.

DISCUSSION: Conservation Commission may need to be involved with decision but it will not interfere with Conservation Commission’s permits for camping, it will remove hours when the park is closed.

It was unanimously, 1 abstain

VOTED: THAT IT BE ORDERED TO AMEND THE CODE OF TOWN OF GREENFIELD §346-2 BY ADDING AFTER THE WORDS “TOWN COMMON”, AND BEFORE THE WORDS “AND CONSERVATION LANDS”, THE WORDS “, MUNICIPALLY OWNED PROPERTY ALONG KIMBALL DRIVE OFF COLRAIN STREET, KNOW AS WEDGEWOOD GARDENS.

OTHER DISCUSSION: Discussion included:

- Vice President Ricketts questioned concerning fires in parks and campgrounds. Fire Chief Robert Stahan informed the Council that it depended on what the use of the lands eas. A small safe grill does not require a permit.
- Councilor Mass requested that the tents on the Common be taken down during the day.
- Councilor Gilmour reminded Councilors of the need to make this transition as easy as possible for everyone involved.

ADJOURNMENT: On a motion by Councilor Mass, second by Councilor Ricketts, it was unanimously **VOTED:** TO ADJOURN THE MEETING AT 9:47 P.M.

A true copy,

Attest: _____
Kathryn J. Scott, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

John Zon Community Center
Emergency Meeting
August 2, 2018

	Attendance	FY19-014 Religious Orgs				
1. Sund, Verne	Y	N				
2. Lobik, John left 8:05 pm	Y	-----				
3. Allis, Brickett left 7:22 pm	Y	-----				
4. Muzyka-Pyfrom, Wanda	N	-----				
5. Dolan, Timothy	Y	Y				
6. Gilmour, Sheila	Y	N				
7. Wheeler, Otis	N	-----				
8. Mayo, Douglas	Y	Y				
9. Leonovich, Daniel	Y	N				
10. Mass, Isaac	Y	N				
11. Renaud, Karen	Y					

12. Ricketts, Penny	Y	Y				
13. Stempel, Ashley – arrived 7:40pm	N	N				