

GREENFIELD TOWN COUNCIL

Special Meeting Minutes

August 21, 2018

6:30 p.m.

Greenfield Town Hall Meeting Room, 2nd Floor

Council Vote Summary

WEBSITE VERSION

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 19-020

MOTION: On a motion by Councilor Mass, second by Councilor Leonovich, it was by majority, 5 Yes, 2 No,

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED ORDINANCE 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. 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 GROUND, FLOWER BEDS, TREES, AND STRUCTURES ARE ALL OWNED AND MAINTAINED BY THE TOWN. THIS ORDINANCE IS DESIGNED TO PRESERVE AND PROTECT THE MEMORIAL, GROUNDS, BEDS AND STRUCTURES.
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.

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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.



DISCUSSION: Discussion Included:

- The proposed Ordinance was not a solution.
- Suggestion to vote on ordinance until after September 5th, date given by Board of Health for homeless to vacate Common.
- Support for the Ordinance so everyone can use the Common and homeless can be moved to Shatuck Park.
- Concerns of future repeat use of the Common by homeless and lack of funding for any litigation.

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

VOTED: TO CALL THE QUESTION.

It was by majority, 5 yes, 2 No

VOTED: TO APPROVE ORDER NO. FY 19-020