

GREENFIELD CITY COUNCIL  
190th Regular Meeting Minutes  
February 20, 2019  
7:00 p.m.  
John Zon Community Center  
35 Pleasant Street  
Council Vote Summary  
WEBSITE VERSION

**MOTIONS, ORDERS, AND RESOLUTIONS**

**Order no. FY 19-075**

**MOTION:** On a motion by Councilor Mass, second by Councilor Ricketts, it was unanimously, **TABLED:** THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL TAKE FROM THE TABLE ORDER NO. FY 19-062 "THE CITY COUNCIL, UPON RECOMMENDATION OF THE MAYOR ORDERED THAT, THE COUNCIL AUTHORIZES THE PAYMENT OF FY18 BILLS FOR \$1,546.82 FROM THE FY19 ENERGY DEPT BUDGET."

EVERSOURCE \$263.14

EVERSOURCE \$1,283.68

WHICH WAS Tabled AT THE DECEMBER 19, 2018 CITY COUNCIL MEETING

**Order no. FY 19-079**

**MOTION:** On a motion by Councilor Wheeler, second by Councilor Ricketts, it was, **VOTED:** THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF THE MAYOR, ORDERED THAT, THE LEASE WITH THE JUST ROOTS, INC. BE APPROVED FOR A TERM OF THIRTY (30) YEARS IN ACCORDANCE WITH M.G.L. CH. 30B §12B.

**Order no. FY 19-083**

**MOTION:** On a motion by Councilor Gilmour, second by Councilor Mass, it was, unanimously, **VOTED:** THAT THE GREENFIELD CITY COUNCIL APPROVES THE APPOINTMENT OF MARK BERSON TO FILL THE VACANT PRECINCT 2 CITY COUNCIL SEAT, UNTIL DECEMBER 31, 2019, PURSUANT TO CHARTER SECTION 2-11.

**Order no. FY 19-084**

**MOTION:** On a motion by Councilor Wheeler, second by Councilor Mass, it was, **VOTED:** THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR MARTIN ORDERED TO SEE IF THE CITY WILL VOTE TO REACCEPT THE PROVISIONS OF G.L. C. 32B, §20, AS AMENDED BY THE MUNICIPAL MODERNIZATION ACT, CHAPTER 218 OF THE ACTS OF 2016, UNDER WHICH THE CITY HAS ESTABLISHED AN OTHER POST-EMPLOYMENT BENEFITS LIABILITY TRUST FUND (THE "OPEB FUND") AND DESIGNATE THE TREASURER AS CUSTODIAN AND TRUSTEE OF THE FUND.

**Order no. FY 19-089**

**MOTION:** On a motion by Councilor Wheeler, second by Councilor Ricketts, it was, **VOTED:** THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF THE MAYOR, MOVED THAT IT BE ORDERED THAT THE CITY COUNCIL, PURSUANT TO M.G.L. CH. 40 AND MASSACHUSETTS LAW HEREBY AUTHORIZES THE MAYOR TO GRANT AND EXECUTE AN EASEMENT LOCATED AT 298 FEDERAL STREET, FOR THE PROPOSES AS DESCRIBED IN THE ATTACHED DOCUMENTS.

**Order no. FY 19-090**

**MOTION:** On a motion by Councilor Gilmour, second by Councilor Mass, it was, **VOTED:** THAT IT BE ORDERED THE GREENFIELD CITY COUNCIL AMENDS THE CODE OF THE CITY OF GREENFIELD BY ADDING TO CHAPTER 385: STREETS, SIDEWALKS, AND PUBLIC PLACES, ARTICLE XV: STREET OPENINGS, §72 PARAGRAPH A: PERMANENT PATCH, 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 CITY OF GREENFIELD.

§ 385-72 PERMANENT PATCH.

A. PERMANENT PATCH. THE PERMANENT PATCH SHALL NOT BE APPLIED UNTIL ONE WINTER SEASON HAS PASSED SINCE THE COMPLETION OF THE TEMPORARY PATCH, AND SHALL BE THEN PATCHED AS FOLLOWS:

- (1) THE AREA TO BE REPAIRED SHALL BE SWEEPED CLEAN TO REMOVE ALL LOOSE AND FOREIGN MATERIAL.
- (2) A BINDER COURSE OF 2 1/2 INCHES COMPACTED DEPTH SHALL BE PLACED IN ACCORDANCE WITH MDOT M3.11.03.
- (3) A TOP COURSE OF 1 1/2 INCHES COMPACTED DEPTH SHALL BE PLACED AND ROLLED TO GRADE TO MATCH THE SURROUNDING SURFACE AND PROVIDE PROPER DRAINAGE OF THE ROADWAY.
- (4) THE EDGES OF ROLLED AREAS SHALL BE SEALED WITH SUITABLE ASPHALT EMULSION, AND SAND SHALL BE SPREAD OVER THE ENTIRE NEWLY PATCHED AREA.
- (5) THE WORK AREA SHALL THEN BE SWEEPED OF ALL OLD AND EXCESS MATERIAL AND LEFT IN A NEAT CONDITION.
- (6) PERMANENT PATCHES CANNOT BE "T" OR "L" SHAPED AND MUST BE RECTANGULAR. WHERE KEYHOLES OCCUR LESS THAN 20 FEET APART, PATCHES MUST BE CONTINUOUSLY CUT AND PATCHED AS A TRENCH. TRENCHES GREATER THAN 100 FEET RUNNING PARALLEL TO THE STREET LINE WITHIN THE ROADWAY MUST BE PATCHED THE ENTIRE LANE WIDTH FROM CENTERLINE TO EDGE OF PAVEMENT OF A TWO LANE ROAD AND THE ENTIRE STREET WIDTH OF A ONE WAY ROAD. ALL AREAS TO BE PATCHED BEYOND THE LIMITS OF EXCAVATION SHALL BE MILLED DOWN 1 1/2 INCHES AND TACK COATED PRIOR TO PLACEMENT OF HOT MIX ASPHALT.
- (7) PERMANENT PATCHES MUST BE GUARANTEED FOR A PERIOD OF TWO (2) YEARS WITH NO MOUNDING, SINKING OR JOINT GAPS. THE DPW WILL INSPECT THE PATCH AT THE END OF THE 2 YEAR PERIOD. IF THE PERMANENT PATCH IS NOT HOLDING TO SPECIFICATIONS, IT WILL BE CONSIDERED A "FAILED" PATCH. FAILED PATCHES ARE THE RESPONSIBILITY OF THE CONTRACTOR TO BE REPLACED WITHIN SIX (6) MONTHS OF A NOTICE OF FAILURE. THE DPW SHALL HAVE THE RIGHT TO DENY FUTURE APPLICATIONS TO ANY APPLICANT WHO FAILS TO REPAIR A "FAILED" PATCH WITHIN THE 6 MONTH TIME FRAME.

B. IT IS RECOGNIZED THAT ASPHALT MANUFACTURING PLANTS ARE NOT OPERATING DURING WINTER MONTHS. THEREFORE, DURING THIS PERIOD CONVENTIONAL METHODS OF TEMPORARY PATCHING SHALL BE USED AT THE DIRECTION OF THE DIRECTOR OF PUBLIC WORKS.

Order no. FY 19-091

**MOTION:** On a motion by Councilor Mass, second by Councilor Ricketts, it was unanimously, **TABLED:** THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL TAKE FROM THE TABLE ORDER NO. FY 19-067 "THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR MARTIN, ORDERED, THAT: THE GREENFIELD CITY COUNCIL APPROVE THE PAYMENT OF PRIOR YEAR INVOICE FOR NEXTREQUEST CO IN THE AMOUNT OF \$ 4,750 TO BE PAID FROM THE FY19 GREENFIELD TECHNOLOGY BUDGET" WHICH WAS TABLED AT THE JANUARY 16, 2019, CITY COUNCIL MEETING.

Order no. FY 19-092

**MOTION:** On a motion by Councilor Mass, second by Councilor Gilmour, it was, **VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL WITHDRAWS THEIR VOTE TAKEN ON FEBRUARY 14, 2019, TO INITIATE A ZONE CHANGE ON ORDER NO. FY19-086:

THAT THE CITY COUNCIL OF GREENFIELD HEREBY INITIATES THE FOLLOWING ZONE CHANGE IN ACCORDANCE WITH M.G.L.C 40A SECTION 5:

~ 200-7.12. MAJOR DEVELOPMENT REVIEW. BY:

IN SECTION B(1)

REPLACING "ONE THOUSAND (1000)" WITH "THREE THOUSAND (3,000)" AND REPLACING "FIVE HUNDRED (500)" WITH "ONE THOUSAND FIVE HUNDRED (1,500)"; AND

IN SECTION B(4)

REPLACING "ONE HUNDRED THOUSAND (100,000)" WITH "ONE HUNDRED FIFTY THOUSAND (150,000) AND "FIFTEEN THOUSAND (15,000)" WITH "THIRTY-FIVE THOUSAND (35,000) AND "FORTY THOUSAND (40,000)" WITH "SEVENTY-FIVE THOUSAND (75,000)"; AND

DELETING SECTION B(5) IN ITS ENTIRETY; AND

IN SECTION C

STRIKING (1) AND (2) IN THEIR ENTIRETY AND REPLACING WITH "(1) THE SPGA SHALL BE THE ZONING BOARD OF APPEALS"; AND

IN SECTION E

STRIKING "ADVERSELY IMPACT" AND REPLACE WITH "CREATE A MATERIALLY ADVERSE IMPACT ON"; AND

IN SECTION F

ADDING PRIOR TO THE WORDS "UPON THE REVIEW OF THE PROJECT" THE FOLLOWING LANGUAGE: "NOTWITHSTANDING, THE PROVISIONS OF MGL C. 40A, ALL DECISIONS OF THE SPGA SHALL BE MADE WITHIN 210 DAYS FROM THE INITIAL DATE OF APPLICATION. THE FAILURE TO ISSUE A DECISION WITHIN 210 DAYS SHALL RESULT IN THE GRANTING OF THE SPECIAL PERMIT AS PRESENTED AND A CONSTRUCTIVE GRANT SHALL BE ISSUED IN ACCORDANCE WITH THE PROVISIONS OF MGL 40A."

AND FURTHER AMEND 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 FOLLOW THE NUMBERING FORMAT OF THE CODE OF THE CITY OF GREENFIELD.

**Order no. FY 19-093**

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

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

200-7.12. MAJOR DEVELOPMENT REVIEW. BY:

IN SECTION B(1)

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DELETING SECTION B(5) IN ITS ENTIRETY; AND

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AND FURTHER AMEND 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 FOLLOW THE NUMBERING FORMAT OF THE CODE OF THE CITY OF GREENFIELD.

**THE PROVISIONS OF THIS REGULATION SHALL BE SEVERABLE. SHOULD ANY SECTION OR PROVISION OF THIS REGULATION BE HELD TO BE INVALID OR UNENFORCEABLE FOR ANY REASON, THIS SHALL NOT AFFECT THE VALIDITY OR ENFORCEABILITY OF ANY OTHER SECTION OR PROVISION OF THIS REGULATION AND THIS REGULATION, EXCLUSIVE OF THE INVALID OR UNENFORCEABLE SECTION OR PROVISION, SHALL TO THE FULL EXTENT CONSISTENT WITH LAW REMAIN IN FULL FORCE AND AFFECT.**

**UNOFFICIAL**