

Greenfield City Council
December 21, 2022
236th Regular Meeting
6:30 p.m.
John Zon Community Center/Zoom Hybrid

To join in person:

John Zon Community Center, 35 Pleasant Street, Greenfield

To join via Zoom:

<https://greenfield-ma-gov.zoom.us/j/93363347411?pwd=RUEvMFdKYkw4UUJuVXZnc1ExbW92Zz09>

To join via phone:

Dial by your location

+1 646 931 3860 US

+1 301 715 8592 US (Washington DC)

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 386 347 5053 US

+1 564 217 2000 US

+1 669 444 9171 US

+1 669 900 9128 US (San Jose)

+1 719 359 4580 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 933 6334 7411 Passcode: 690690

Find your local number: <https://greenfield-ma-gov.zoom.us/j/93363347411?pwd=RUEvMFdKYkw4UUJuVXZnc1ExbW92Zz09>

AGENDA

1. Call to Order

CHAIRS STATEMENT: This meeting is being recorded by the City Council and GCTV-17. If any other persons present are doing the same you must notify the chairperson at this time. In accordance with MGLc 30A SS 20(g) “No person shall address a meeting of a public body without permission of the Chair and all persons shall, at the request of the chair, be silent. No person shall disrupt the proceedings of a meeting of a public body. If, after clear warning from the chair, a person continues to disrupt the proceedings, the chair may order the person to withdraw from the meeting and if the person does not withdraw, the chair may authorize a constable or other officer to remove the person from the meeting.”

2. Roll Call of Members

3. Pledge of Allegiance (voluntary)
4. Approve the October 19 and November 16, 2022, City Council meeting minutes. **(Pg. 4)**
5. Communications from Superintendent of Schools and School Committee (10 minutes)
- 5a. Questions from the Council for Superintendent of Schools and School Committee
6. Communications from Mayor, City Officers and Employees (10 minutes)
- 6a. Questions from the Council for Mayor
7. Communications from other City Employees as needed, by invitation
8. Public Comment
9. Public Hearing(s) and Second Reading(s): **(Pg. 50)**
 - Repurpose \$67,060.51 from School Department Capital Accounts for School Phone System.
 - Appropriate \$100,000 from Free Cash to Contract Stabilization Fund 8403.
10. Motions, Orders, and Resolutions
 - I. Mayor's Veto on Order No. FY23-045: Appropriate \$2,200,000 from Free Cash to Capital Stabilization Fund 8402. **(Pg. 51)**
 - II. Rescind Borrowing Authorization for Anaerobic Digester by \$3,585,000. **(Pg. 54)**
 - III. Repurpose \$67,060.51 from School Department Capital Accounts for School Phone System. **(Pg. 56)**
 - IV. Appropriate \$100,000 from Free Cash to Contract Stabilization Fund 8403. **(Pg. 66)**
 - V. Authorization of an increase in Cost of Living Adjustment (COLA) for FY23 to 5% for Retirees. **(Pg. 67)**
 - VI. Acceptance of Easement for Electrical Service at 402-412 Main Street (New Greenfield Public Library). **(Pg. 70)**
 - VII. Intention to Consider Laying Out Verde Drive- Phase Two as a Public Way submitted by Greenfield KMW LLC. **(Pg. 72)**
 - VIII. Amend Zoning Ordinance 200 7-17: Marijuana Establishments, Marijuana Indoor and Outdoor Cultivation. **(Pg. 86)**
 - IX. Zoning Amendment to Rezone French King Highway from General Commercial (GC) to Planned Industry (PI). **(Pg. 98)**
 - X. Amend Code of Greenfield Chapter 408 – Vehicles and Traffic. **(Pg. 102)**
 - XI. Amend Code for Greenfield Chapter 381- Stormwater Management. **(Pg. 106)**
 - XII. Amend Code for Greenfield Chapter 400 – Trees. **(Pg. 108)**
 - XIII. Amend Code for Greenfield (New) Chapter 410 – Vendors. **(Pg. 111)**
 - XIV. Amend Code for Greenfield Chapter 213: Animals, Section 3: License Fees, Subsection D. **(Pg. 128)**
 - XV. Amend Code of Greenfield Chapter 56: Officers and Employees, Article VII: Stipend for School Board Members and Town Councilors **(Pg. 131)**
 - XVI. Acceptance of MGLc 41: Officers and Employees of Cities, Towns and Districts, Section 110A: Office hours on Saturday. **(Pg. 133)**

- XVII. Mayor's Appointments Human Rights Commission - Bekki Craig. **(Pg. 135)**
- XVIII. Mayor's Appointments Mayor's Task Force Against Domestic Violence - Megan Cloutier. **(Pg. 139)**
- XIX. Mayor's Appointments Planning & Construction - Carole Collins. **(Pg. 140)**
- XX. Mayor's Appointments Public Safety Commission - David Lanoie. **(Pg. 141)**
- XXI. Mayor's Appointments Public Safety Commission - David Moscaritolo. **(Pg. 155)**
- XXII. Mayor's Re-Appointments Human Rights Commission - Wid Perry. **(Pg. 158)**
- XXIII. Take from the Table - Resolution for declaration of no confidence for PC Robert Haigh and Mayor Roxann Wedegartner. **(Pg. 159)**

- 11. Presentation of Petitions and Similar Papers
- 12. Report of Committees
- 13. Unfinished Business
- 14. Old Business
- 15. New Business
 - First Reading (Pg. 160)
 - Transfer \$16,865.78 from Reserve Fund 5781 to FY23 Library Building and Grounds Maintenance Account 5200.
 - Appropriate \$3,585,000 for a Sewer Dewatering System Project.
 - Repurpose \$727,287.66 from Authorization for Dredging Leyden Glenn to Water Main Projects.
- 16. Motions for Reconsideration
- 17. Adjournment

EXECUTIVE SESSION MAY BE CALLED

****Please note that the list of topics was comprehensive at the time of posting, however, the public body may consider and take action on unforeseen matters not specifically named in this notice. Posted in accordance with M.G.L.c 30A § 18-25.***

GREENFIELD CITY COUNCIL

Regular Meeting Minutes

October 19, 2022

John Zon Community Center/Zoom (Hybrid)

6:30 pm

CALL TO ORDER: Meeting was called to order at 6:30 p.m. by President Gilmour.

CHAIRS STATEMENT: This meeting is being recorded by the City Council and GCTV-17. If any other persons present are doing the same you must notify the chairperson at this time. If any other persons present are doing the same you must notify the chairperson at this time. In accordance with MGLc 30A SS 20(g) "No person shall address a meeting of a public body without permission of the Chair and all persons shall, at the request of the chair, be silent. No person shall disrupt the proceedings of a meeting of a public body. If, after clear warning from the chair, a person continues to disrupt the proceedings, the chair may order the person to withdraw from the meeting and if the person does not withdraw, the chair may authorize a constable or other officer to remove the person from the meeting."

ROLL CALL OF MEMBERS: Roll Call was taken. All Councilors were present. (Councilors Bullock, Mayo and Helie appeared via Zoom.)

ALSO PRESENT: Mayor Roxann Wedegartner; City Clerk Kathryn J. Scott; Finance Director/City Auditor/City Accountant Elizabeth Gilman; Greenfield School Assistant Superintendent Karin Patenaude; School Committee Chairperson Amy Proietti; Fire Chief Robert Strahan; Fire Station Building Committee Co-Chair David Singer; Parliamentarian Will Roberts; GCTV-17 staff; Mary Byrne, *the Recorder*, and members of the public.

The Pledge of Allegiance was held.

ACCEPTANCE OF MINUTES: On a motion by Councilor Elmer, second by Councilor Ricketts, it was unanimously,

VOTED: TO ACCEPT THE CITY COUNCIL MINUTES OF AUGUST 17, AUGUST 31 AND SEPTEMBER 21, 2022.

COMMUNICATIONS:

SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE: Assistant Superintendent Patenaude and Committee Chair Proietti reported the following:

- Contract negotiations between teachers, educators and the Greenfield schools.
- Greenfield elementary schools held an ice cream social for students and their families.
- Other events planned for the school district include Bingo for Books and Math Nights.
- The school district celebrated Unity Day, which promoted inclusivity and anti-bullying awareness.
- Parent-Teacher conferences for the middle and elementary schools would begin next week.
- November 8th was scheduled as a district-wide professional development day and finalizing plans for all school staff to engage in professional, high quality development. Schools would be closed on this day due to the election.

Councilors asked the following questions:

- Balance left from ESSER (Elementary and Secondary School Emergency Relief) funding and could those funds be utilized towards contract stabilization.
- Decrease in the enrollment of students in Greenfield schools.
- Were IAs (Instructional Assistants) also included in the contract negotiations.

- Efforts to request increased contract stabilization funding from the Mayor to provide competitive wages to teachers and other educators.

MAYOR, CITY OFFICERS AND EMPLOYEES: Mayor Wedegartner reported the following:

- Fire Department received a \$70,000 grant to replace outdated and older equipment.
- Received Green Communities program grant for \$100,302 for the City's continued efforts to decrease the use of fossil fuels. The monies would fund the purchase of 2 fully electric vehicles. The grant would also cover the costs of upgrades to the Wastewater Treatment plant heating system.
- Encouraged Councilors to vote in favor of the borrowing of \$500,000 towards the construction of the new Fire Station.
- LSP (Licensed Site Professional) Bruce Nicholson, on behalf of the City and 401 Liberty Street LLC, in regards to the cleanup of the Lunt property located on Federal Street had completed the steps required by the Massachusetts Department of Environmental Protection's notice of audit findings, as well as the PIP (Performance Improvement Plan), in which draft of the conceptual phase two had been provided. Mass DEP would review and comment on the conceptual phase two scope of work.

Councilors asked the following questions:

- Future plans to allocate more City funding into the Greenfield schools.
- Alternative use of the funds originally allocated for the purchase of the two electric vehicles now that the City received Grant money for the purchase of said vehicles.
- Reopening of the Court Square thoroughway.
- Status on hiring a new Financial Director.
- Inadequate allocation request for Contract Stabilization fund during negotiations with the school district.
- Would the Mayor be amenable to holding a public forum once a month to answer questions from constituents regarding issues within the Mayor's purview.
- Scheduling more meetings with the schools in regards to setting their budget.
- Provide more transparency with the school's budget including the funding they receive from the State and other resources.

OTHER CITY EMPLOYEES AS NEEDED, BY INVITATION: Fire Chief Stahan and Fire Station Construction Committee Co-Chair Singer reported the following:

- Urged Councilors to support the borrowing of \$500,000 towards the construction of the new fire station.
- Provided rationale for borrowing the funds versus "pay as you go" funding.

Councilors asked the following questions:

- Assurance from the Mayor the funds originally allocated for the construction of the library would be utilized for the schools, specifically the teachers.

President Gilmour called for a 5 minute recess at 8:28 pm.

President Gilmour resumed the meeting at 8:33 pm.

PUBLIC COMMENT: The following members of the public spoke:

- Carisa Clifford, Mohawk Trail, spoke to property rights protections and the relation to non-governmental organizations' master plan and opposed any changes made to the Zoning Ordinance 200-7.1.
- Jon Magee, Green Street, urged Councilors to vote in opposition to the Mayor's proposed appropriation for a police audit. He supported a public forum with the Mayor and believed Police Chief Haigh should resign.

- Judy Bennett, Conway Street, spoke to her support to provide Greenfield teachers with competitive and livable wages and the difficulties students would face if the school district experienced frequent turn around or lack of teachers and other educational staffing.
- Luke Martin, Haywood Street, spoke to his support for competitive and livable wages for teachers and the loss of competent teachers from Greenfield schools.
- Susan Wargaftik, Forest Avenue, urged Councilors to vote in opposition to the Mayor's proposed appropriation for a police audit. She also spoke in opposition for the appropriation to the Compensated Absences fund appropriation and the current status of available housing in Greenfield, as well as Franklin County.
- Molly Merrett, Solar Way, urged Councilors to vote in opposition to the Mayor's proposed appropriation for a police audit. She spoke in opposition for the appropriation to the Compensated Absences fund appropriation.
- Rebecca Seyfried, Maple Street, urged Councilors to vote in opposition to the Mayor's proposed appropriation for a police audit as well as the appropriation to the Compensated Absences fund. She spoke in support of providing competitive and living wages to Greenfield teachers.
- Pamela Goodwin, High Street, encouraged residents to get involved with the Human Rights Commission, either as a member or attend their meetings. She spoke to her experience as a PIP member involved in the Lunt property cleanup. She spoke to her experience with teaching in Greenfield and the importance of paying and housing teachers if Greenfield wanted to retain good teachers and other educators.
- Edward Jarvis, Plantation Circle, spoke to his support for the borrowing appropriation for the construction of the fire station.
- Jesus Leyva, High Street, spoke to advocating for more State funding for schools. He encouraged residents to vote in support of question one on next month's ballot that would require individuals to make a significant amount of money to pay a significant amounts of taxes.
- Gary Seldon, Traver Court, spoke to the ad hoc committee on 7-7 and 7-8 recommendations to be consistent with the vote taken on the November 2021 ballot.
- Greta Schultz, Elm Street, urged Councilors to vote in opposition to the Mayor's proposed appropriation for a police audit. She was supportive of a public forum with the Mayor to have any questions answered within the Mayor's purview.
- Rachel Gordon, Precinct 2, urged Councilors to vote in opposition to the Mayor's proposed appropriation for a police audit and echoed most of the speakers concerns with the Compensated Absences fund and contract negotiations with Greenfield teachers.
- Mirai Bajani, Peabody Lane, echoed previous speakers concerns regarding the appropriation for the police audit, public forums with the Mayor and paying teachers.
- Eileen Stahl, no address given, echoed previous speakers concerns regarding the appropriation for the police audit, public forum with the Mayor, compensated absences fund appropriation and providing teachers with a competitive wages.
- Glen Ayers, Davis Street, reported that yesterday the Lunt Neighborhood Action Group submitted an application for a technical assistance grant to DEP in the amount of \$20,000 to aid in hiring an independent LSP to address the contamination on the Lunt site.
- Kendra Savati, Beech Street, echoed previous speakers concerns regarding the appropriation for the police audit and public forums with the Mayor.
- Garth Brody, Avenue A, Turners Falls, spoke to Greenfield school's ability to provide wages for teachers and concerns with the City's Budget.
- Dave Madeloni, Dickinson Street, Northampton, spoke to his experience with being an educator in the Greenfield schools and the importance of retaining competent teachers and educators.

- Julie Erickson, Chestnut Plain Road, Whately, spoke to her experience with being an educator in the Greenfield schools and the ongoing negotiations of the teacher's contracts including providing competitive and living wages, especially for IAs.

PUBLIC HEARINGS: Councilor Forgey read the public hearing:

PUBLIC HEARING

In accordance with Home Rule Charter, the Greenfield City Council will hold a public hearing on Wed., October 19, 2022, at 6:30 p.m. at John Zon Community Center, 35 Pleasant St., and Zoom:

<https://greenfield-ma-gov.zoom.us/j/99920857910?pwd=M0Vwd3FrWFBGRXdjZkNocklZemVXZz09>
Meeting ID: 999 2085 7910, to receive public input on the following:

- Repurpose \$3,585,000 from Anaerobic Digester Authorization to a Sludge Dewatering Project.
- Approve Baker's Office Supply invoice payment of \$113.80 from FY23 Assessors Department Budget.

The City Council may consider the same on Wed., October 19, 2022, at 6:30 p.m. at John Zon Community Center, 35 Pleasant St., and Zoom Remote Access: <https://greenfield-ma-gov.zoom.us/j/99920857910?pwd=M0Vwd3FrWFBGRXdjZkNocklZemVXZz09> Meeting ID: 999 2085 7910. Materials can be obtained from the City Clerk's Office, 14 Court Sq. from 8:30 a.m.-5:00 p.m., Mon. - Fri. or phone 413-772-1555, x. 6163.

Sheila Gilmour, Greenfield City Council President

President Gilmour opened the public hearing at 9:34pm and asked if anyone from the public wished to speak. Seeing none, President Gilmour closed the public hearing at 9:34 pm.

Councilor Forgey read the second reading:

City Council – Second Reading- October 19, 2022

- Repurpose \$3,585,000 from Anaerobic Digester Authorization to a Sludge Dewatering Project.
- Approve Baker's Office Supply invoice payment of \$113.80 from FY23 Assessors Department Budget.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 23-032

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL APPROVES THE FORMATION OF THE "GREENFIELD CHARTER, CHAPTERS 7-7 AND 7-8, REVIEW COMMITTEE," AN AD-HOC COMMITTEE OF THE APPOINTMENTS AND ORDINANCES COMMITTEE, FOR THE PURPOSE OF REVIEWING AND PROVIDING RECOMMENDATIONS, IF ANY, OF THE CITY OF GREENFIELD'S CHARTER CHAPTERS 7-7: CITIZEN INITIATIVE MEASURES AND 7-8: CITIZEN REFERENDUM PROCEDURES.

THE SEVEN (7) MEMBER COMMITTEE WILL CONSIST OF THE FOLLOWING APPOINTMENTS, WITH TERMS TO EXPIRE ONCE A FINAL REPORT IS SUBMITTED TO THE APPOINTMENTS AND ORDINANCE COMMITTEE:

- 2 Members of the City Council – Katherine Golub and Derek Helie
- 2 Members assigned by the Mayor – Danielle Letourneau and Ashley Stempel-Rae
- 2 Members of the Public – Isaac Mass and Albert Norman

DISCUSSION: Vice President Guin reported the Appointments & Ordinances Committee forwarded a unanimous positive recommendation.

It was by majority, 1 no,

VOTED: TO APPROVE ORDER NO. FY 23-032.

Order no. FY 20-036

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

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, AMEND THE CODE OF THE CITY OF GREENFIELD CHAPTER 394 – TAG SALES, AS WRITTEN IN THE STRIKETHROUGH ATTACHED HERETO.

§ 394-3, DELETE “PERMIT”, REPLACE WITH “REGISTRATION”

§ 394-3, DELETE “UNTIL A PERMIT FOR THE SAME HAS BEEN ISSUED BY”, REPLACE WITH “UNTIL REGISTERING WITH”; DELETE “BOARD OF LICENSE COMMISSIONERS”, REPLACE WITH “CITY OF GREENFIELD”; DELETE “BOARD OF LICENSE COMMISSIONERS OR ITS DESIGNEE”, REPLACE WITH “CITY OF GREENFIELD”; DELETE “PERMIT”, REPLACE WITH “REGISTRATION”; DELETE “PERMITTEE”, REPLACE WITH “REGISTRANT”; DELETE “APPLY FOR A PERMIT”, REPLACE WITH “REGISTER A TAG SALE”; ADD “VIA EMAIL” AND ADD “THERE IS NO FEE FOR THIS PERMIT”

§ 394-4, DELETE “PERSON”, REPLACE WITH “HOUSEHOLD”, ADD “OR THREE CONSECUTIVE DAYS IF IT IS A RECOGNIZED HOLIDAY WEEKEND”.

§ 394-6, DELETE “PERMIT”, REPLACE WITH “REGISTRATION”.

§ 394-8, DELETE “HIM”, REPLACE WITH “CHIEF OF POLICE”.

AND FURTHER AMEND THE CODE, CHAPTER 394 WITH THE FOLLOWING GLOBAL CHANGES:

- CHANGE “TOWN” TO “CITY”

AND FURTHER AMEND THE INDEX OF THE CODE, AND FURTHER THAT NO SUBSTANTIVE 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.

[HISTORY: Adopted by the Town of Greenfield as amended 8-17-2011 by Order No. FY 12-004 (Ch. 163 of the 2002 Bylaws). Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Junk dealers and collectors — See Ch. 282.

Pawnbrokers — See Ch. 328.

Signs — See Ch. 359.

§ 394-1Definitions.

§ 394-2Sales of certain property prohibited.

§ 394-3RegistrationPermit required.

Comment [DL1]: Changes suggested in this section reflect what is currently happening. Dan Letourneau, COS to the Mayor.

§ 394-4Limitations.

§ 394-5Display of property.

§ 394-6Signs.

§ 394-7Right of entry; enforcement.

§ 394-8Parking.

§ 394-1Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

DAYLIGHT HOURS

From sunrise to sunset.

PERSONAL PROPERTY

That property which is owned by members of a household.

TAG SALES

All general sales open to the public conducted on residential premises for the purposes of disposing of personal property, and shall include but not be limited to all sales known as "tag," "garage," "lawn," "yard," "attic," "porch," "room," "backyard," "patio," "flea market" or "rummage."

§ 394-2 Sales of certain property prohibited.

No person shall sell or offer for sale, at any tag sale, any property other than personal property.

§ 394-3 Registration Permit required.

No person shall conduct a tag sale ~~registering with until a permit for the same has been issued by the City of Greenfield, Board of License Commissioners or its designee.~~ The ~~City shall~~ Board of License Commissioners or its designee shall cause a registration permit log to be kept, listing ~~the permit,~~ the address where the tag sale is to be conducted, the dates and times of the tag sale and the name and telephone number of ~~the the registrant~~ permittee. Each ~~registrant~~ permittee shall ~~apply for a permit~~ register a tag sale not less than one day before the tag sale date. The ~~permit~~ registration application may be made ~~in person,~~ via email, or by phone during regular ~~City Town~~ Hall hours. There is no fee for this permit.

Comment [DL2]: What if we add an online permit application? Make language general enough to allow for this.

§ 394-4 Limitations.

No ~~household person~~ shall conduct a tag sale on more than four days in any calendar year or on more than two consecutive days, or three consecutive days if it is a recognized holiday weekend, and no premises shall be the site of a tag sale for more than four days in any calendar year. Tag sales shall be conducted during daylight hours only.

Comment [DL3]: I would lengthen this to 6, honestly. Then one household could have a Memorial Day weekend tag sale and a Labor Day weekend tag sale, for example.

§ 394-5 Display of property.

Personal property offered for sale at any tag sale shall be displayed only on private property. No personal property offered for sale at any tag sale shall be displayed in any public right-of-way, on highways, streets or sidewalks.

§ 394-6 Signs.

Signs promoting tag sales shall not be erected more than two days prior to any tag sale. No sign promoting any tag sale shall exceed two square feet. All signs shall be removed immediately after the registration permit expires. No sign shall be attached to traffic signs, utility poles, street lamps, street signs, or shade trees.

§ 394-7 Right of entry; enforcement.

The Chief of Police, the Chief of the Fire Department or the Inspector of Buildings, or persons authorized by them, shall have the right to enter onto

private property showing evidence of a tag sale for the purpose of enforcing this chapter, and may close any tag sale for a violation of this chapter.

§ 394-8 Parking.

Where a tag sale is being conducted, the Chief of Police, or persons authorized by ~~the Chief of Police, him,~~ may enforce temporary parking restrictions necessary to the safe and orderly flow of traffic and the passage of emergency vehicles.

DISCUSSION: Vice President Guin reported the Appointments and Ordinances Committee forwarded a unanimous positive recommendation to include one proposed amendment. He explained that the majority of these amendments were to bring the code up to compliance with MGLs or procedures that had been followed but were not in writing.

MOTION: On a motion by Councilor Guin, second by Councilor Ricketts, it was unanimously, **VOTED:** THAT IT BE ORDERED TO AMEND 394.3 "THERE IS NO FEE FOR THIS PERMIT" TO REPLACE "PERMIT" WITH "APPLICATION".

Order no. FY23-036, as amended, was on the floor: AMEND THE CODE OF THE CITY OF GREENFIELD CHAPTER 394 – TAG SALES, AS WRITTEN IN THE STRIKETHROUGH ATTACHED HERETO.

§ 394-3, DELETE “PERMIT”, REPLACE WITH “REGISTRATION”

§ 394-3, DELETE “UNTIL A PERMIT FOR THE SAME HAS BEEN ISSUED BY”, REPLACE WITH “UNTIL REGISTERING WITH”; DELETE “BOARD OF LICENSE COMMISSIONERS”, REPLACE WITH “CITY OF GREENFIELD”; DELETE “BOARD OF LICENSE COMMISSIONERS OR ITS DESIGNEE”, REPLACE WITH “CITY OF GREENFIELD”; DELETE “PERMIT”, REPLACE WITH “REGISTRATION”; DELETE “PERMITTEE”, REPLACE WITH “REGISTRANT”; DELETE “APPLY FOR A PERMIT”, REPLACE WITH “REGISTER A TAG SALE”; ADD “VIA EMAIL” AND ADD “THERE IS NO FEE FOR THIS ~~PERMIT~~ APPLICATION”.

§ 394-4, DELETE “PERSON”, REPLACE WITH “HOUSEHOLD”, ADD “OR THREE CONSECUTIVE DAYS IF IT IS A RECOGNIZED HOLIDAY WEEKEND”.

§ 394-6, DELETE “PERMIT”, REPLACE WITH “REGISTRATION”.

§ 394-8, DELETE “HIM”, REPLACE WITH “CHIEF OF POLICE”.

AND FURTHER AMEND THE CODE, CHAPTER 394 WITH THE FOLLOWING GLOBAL CHANGES:

- CHANGE “TOWN” TO “CITY”

AND FURTHER AMEND THE INDEX OF THE CODE, AND FURTHER THAT NO SUBSTANTIVE 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.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-036, AS AMENDED.

Order no. FY 23-037

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

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, AMEND THE CODE OF THE CITY OF GREENFIELD CHAPTER 209 - ALCOHOLIC BEVERAGES AS WRITTEN IN THE STRIKETHROUGH ATTACHED HERETO.

§ 209-6. REMOVAL OF PATRONS: REMOVE “PERSONS”, REPLACE WITH “PATRONS”; REMOVE “EXCEPT THE BARTENDER AND/OR OTHER PERSON(S) DULY EMPLOYED BY THE BUSINESS SOLELY FOR THE PURPOSE OF CLEANING AND CLOSING THE BUSINESS.”, REPLACE WITH “ANY LIQUOR LICENSEE OR THEIR MANAGER SHALL NOT BE PROHIBITED FROM BEING ON THE LICENSED PREMISES AT ANY TIME; PROVIDED, FURTHER, THAT THE EMPLOYEES, CONTRACTORS OR SUBCONTRACTORS SHALL NOT BE PROHIBITED FROM BEING UPON SUCH PREMISES AT ANY TIME FOR THE PURPOSE OF CLEANING, MAKING RENOVATIONS, MAKING EMERGENCY REPAIRS TO OR PROVIDING SECURITY FOR, SUCH PREMISES OR PREPARING FOOD FOR THE DAY'S BUSINESS OR OPENING OR CLOSING THE BUSINESS IN AN ORDERLY MANNER. “

§ 209-10 – DELETE “THREE”, REPLACE WITH “SIX”; DELETE ENTIRE TEXT, REPLACE WITH “THE BOARD OF LICENSE COMMISSIONERS MAY, AFTER HEARING OR REASONABLE OPPORTUNITY THEREFOR, CANCEL ANY LICENSE ISSUED FOR THE SALE OR SERVICE

OF ALCOHOLIC BEVERAGES ISSUED UNDER M.G.L. C.138 IF THE LICENSEE CEASES TO CONDUCT THE LICENSED BUSINESS FOR A PERIOD OF SIX MONTHS OR MORE.”

AND FURTHER AMEND THE CODE, CHAPTER 209 WITH THE FOLLOWING GLOBAL CHANGES:

- CHANGE “TOWN” TO “CITY”

AND FURTHER AMEND THE INDEX OF THE CODE, AND FURTHER THAT NO SUBSTANTIVE 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.

Chapter 209. Alcoholic Beverages

§ 209-6. Removal of patrons.

No ~~patron persons~~ shall be allowed to remain on the premises after 20 minutes past the legally prescribed closing hour, ~~except the bartender and/or other person(s) duly employed by the business solely for the purpose of cleaning and closing the business. No alcoholic beverage will be consumed during that time.~~

Any liquor licensee or their manager shall not be prohibited from being on the licensed premises at any time; provided, further, that the employees, contractors or subcontractors shall not be prohibited from being upon such premises at any time for the purpose of cleaning, making renovations, making emergency repairs to or providing security for, such premises or preparing food for the day's business or opening or closing the business in an orderly manner. No alcoholic beverage may be consumed during this time.

Comment [DL1]: Inconsistent with Massachusetts General Law, Chapter 138, section 12. Requested amendment changes the language to match MGL. Applicable section sent as a separate document.

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Article III. Inactive Licenses

[Adopted 9-7-1993 (Ch. 348, Art. II, of the 2002 Bylaws)]

§ 209-10. Lack of use for ~~six~~ three months or more.

~~Any person, corporation or any other legal entity holding any license issued by the Board of License Commissioners to sell or serve liquor, either on premises or off premises, pursuant to MGL c. 138, who or which fails to use said license for a period of three months or more during any calendar year shall surrender said license to the Board of License Commissioners, and failure to use said license for a period of three months or more during any calendar year shall be sufficient grounds for the Board of License Commissioners to refuse to reissue or renew said license at the end of each calendar year after affording the license holder a hearing. The Board of License Commissioners may, after hearing or reasonable opportunity therefor, cancel any license issued for the sale or service of alcoholic beverages issued under M.G.L. c.138 if the licensee ceases to conduct the licensed business for a period of six months or more.~~

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Comment [DL2]: The requested amendment changes the language to match Massachusetts General Law chapter 138, section 77 and also changes the time frame for lack of use of a liquor license from three to six months. ABCO has advised the Licensing Commission that three months is not a reasonable amount of time to allow a licensee who has closed their business to find a buyer and sell their license. The requested language change to match the MGL gives the Licensing Commission the discretion to make a determination whether a license should be cancelled for lack of use.

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MGL chapter 138

Section 12. (paragraph 6) The hours during which sales of such alcoholic beverages may be made by any licensee as aforesaid shall be fixed by the local licensing authorities either generally or specially for each licensee; provided, however, that no such sale shall be made on any secular day between the hours of two and eight o'clock antemeridian and that, except as provided in section thirty-three, no such licensee shall be barred from making such sales on any such day after eleven o'clock antemeridian and before eleven o'clock postmeridian, and no tavern shall be kept open on any such day between one o'clock antemeridian and eight o'clock antemeridian; provided, further, that any such licensee or his manager shall not be prohibited from being on the licensed premises at any time; provided, further, that the employees, contractors or subcontractors shall not be prohibited from being upon such premises at any time for the purpose of cleaning, making renovations, making emergency repairs to or providing security for, such premises or preparing food for the day's business or opening or closing the business in an orderly manner. The licensing authority shall not decrease the hours during which sales of such alcohol beverages may be made by a licensee until after a public hearing concerning the public need for such decrease; provided, however, that a licensee affected by any such change shall be given 2 weeks notice of the public hearing.

Section 77. The licensing authorities may, after hearing or reasonable opportunity therefor, cancel any license issued under this chapter if the licensee ceases to conduct the licensed business. If the local licensing authorities determine that a license should be cancelled as aforesaid the licensee may appeal to the commission as if such authorities had refused to grant the license upon an original application therefor, and the decision of the commission upon such appeal shall be final.

DISCUSSION: Vice President Guin reported the Appointments & Ordinances Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-037.

Order no. FY 23-038

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

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, AMEND THE CODE OF THE CITY OF GREENFIELD CHAPTER 337 – PEDDLING AND SOLICITING, AS WRITTEN IN THE STRIKETHROUGH ATTACHED HERETO.

§ 337-1 DEFINITIONS. DELETE C IN ITS ENTIRETY.

§ 337-3 APPLICATION FOR CERTIFICATE. SECTION C, DELETE “A FELONY” AND REPLACE WITH “A SEXUAL CRIME WHERE THEY MUST REGISTER AS A SEX OFFENDER, A VIOLENT FELONY, OR A FELONY INVOLVING FINANCIAL CRIME SUCH AS EMBEZZLEMENT, FRAUD, IDENTITY THEFT, OR SIMILAR,” ; SECTION E, INSERT “REVIEW THE BACKGROUND OF THE APPLICANT, USING SECTION C AS A GUIDE. IF THE POLICE DEPARTMENT APPROVES THE APPLICATION THEY SHALL THEN FORWARD THE APPLICATION TO THE BOARD OF LICENSE COMMISSIONERS FOR THEIR REVIEW AND APPROVAL. THE POLICE DEPARTMENT SHALL”.

§ 337-4 REVOCATION OF CERTIFICATE; EXPIRATION DATE. A: DELETE “BOARD OF LICENSE COMMISSIONERS, REPLACE WITH “POLICE DEPARTMENT” IN TWO INSTANCES.

§ 337-8 FEES. ADD “POLICE DEPARTMENT” IN TWO INSTANCES, AND DELETE “EXCEPT THAT THE BOARD OF LICENSE COMMISSIONERS SHALL WAIVE SAID FEE FOR ANY CHARITABLE, RELIGIOUS, SOCIAL, POLITICAL ACTION, OR NONPROFIT GROUP, INCLUDING BUT NOT LIMITED TO. VETERANS’ GROUPS, HOSPITALS, THE UNITED WAY, YMCA, AND THE AMERICAN RED CROSS”, AND DELETE “UNLESS SUCH FEE IS WAIVED BY THE BOARD OF LICENSE COMMISSIONERS AS PROVIDED ABOVE”.

§ 337- 10 BADGE PERMITS TO BE DISPLACED, DELETE “THE ACTUAL COST OF SUCH BADGE SIZE PERMIT(S) SHALL BE IN ADDITION TO THE COST OF THE LICENSE FEE”.

AND FURTHER AMEND THE CODE, CHAPTER 337 WITH THE FOLLOWING GLOBAL CHANGES:

- CHANGE “TOWN” TO “CITY”
- CHANGE “TOWN OF GREENFIELD” TO “CITY OF GREENFIELD”

AND FURTHER AMEND THE INDEX OF THE CODE, AND FURTHER THAT NO SUBSTANTIVE 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.

GENERAL REFERENCES

Junk dealers and collectors — See Ch. 282.

Noise — See Ch. 311.

Streets, sidewalks and public places — See Ch. 385.

§ 337-9Time restrictions.

§ 337-1Definitions.

§ 337-2Certificate of registration required.

§ 337-3Application for certificate.

§ 337-4Revocation of certificate; expiration date.

§ 337-5Residence notice preventing solicitation.

§ 337-6Duties of solicitors.

§ 337-7Uninvited soliciting prohibited.

§ 337-8Fees.

§ 337-9Time restrictions.

§ 337-10 **Badge permits to be displayed.**

§ 337-11 **Violations and penalties.**

§ 337-1 **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

REGISTERED SOLICITOR

Includes any person who has obtained a valid certificate of registration as hereinafter provided, which certificate is in the possession of the solicitor on his or her person while engaged in soliciting.

RESIDENCE

Includes every separate living unit occupied for residential purposes by one or more persons, contained within any type of building or structure.

SOLICITING

Includes any one or more of the following activities:

A.

Seeking to sell or offering to sell by sample, list, catalog or otherwise for future delivery, or seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs, services of any kind, character or description whatever, for any kind of consideration whatever; or

B.

Seeking to obtain prospective customers for application or purchase of insurance of any type, kind, or publication; or

Comment (DL1): See attorney opinion 8.8.2018, to Mark Smith

~~C.~~

~~Seeking to obtain gifts or contributions of money, clothing or any other valuable thing for the support or benefit of any charitable, religious, political action, or nonprofit association, organization, corporation, or project.~~

§ 337-2 **Certificate of registration required.**

Every person desiring to engage in soliciting as herein defined from persons in residences within this City-Town is hereby required to make written

application for a certificate of registration as hereinafter provided. Such certificate shall be carried by the solicitor.

§ 337-3 Application for certificate.

A.

Application for a certificate of registration shall be made upon a form provided by the ~~Board of License Commissioners of the Town~~ City of Greenfield. The applicant shall truthfully state in full the information requested on the application, including:

(1)

Name and address of present place of residence of the applicant and business address.

(2)

Name and address of the person, firm or corporation or association whom the applicant is employed by or represents.

(3)

Purpose of solicitation.

(4)

Description sufficient for identification of the subject matter of the soliciting in which the applicant will engage.

(5)

Period of time for which the certificate is applied; in any event not to exceed the end of the calendar year, said time period to be at the discretion of the Board of License Commissioners.

(6)

Date, or approximate date, of latest previous application for certificate under this chapter, if any.

(7)

Has a certificate of registration issued to the applicant under this chapter ever been revoked?

(8)

Has the applicant ever been convicted of a violation of a felony under the laws of the state or any other state or federal law of the United States?

(9)

Names of magazines, journals, or books.

(10)

Proposed method of operation.

(11)

Signature of the applicant.

B.

All statements made by the applicant upon the application or in connection therewith shall be made under the penalties of perjury.

C.

No certificate of registration shall be issued to any person who has been convicted of the commission of a felony a sexual crime where they must register as a sex offender, a violent felony, or a felony involving financial crime such as embezzlement, fraud, identity theft, or similar. -under the laws of the commonwealth or any other state or federal law of the United States, nor to any person who has been convicted of a violation of any provisions of this chapter, nor to any person whose certificate of registration issued hereunder has previously been revoked as herein provided.

Comment [DL2]: Change in wording and process was run by Chief Robert Haigh -10.2020

D.

All applications for a certificate of registration shall be made at least 21 days before the desired date of initial soliciting.

E.

The Police Department shall review the background of the applicant, using section C as a guide. If the Police Department approves the application they shall then forward the application to the Board of License Commissioners for their review and approval. The Police Department shall keep a permanent record of all applicants and issuance of certificates of registration for soliciting.

Comment [DL3]: Change in wording and process was run by Chief Robert Haigh -10.2020

§ 337-4Revocation of certificate; expiration date.

A.

Any certificate of registration issued hereunder shall be revoked by the Police Department Board of License Commissioners if the holder of the certificate is convicted of a violation of any of the provisions of this chapter or has made a false material statement in the application, or otherwise becomes disqualified for the issuance of a certificate of registration under the terms of this chapter. Immediately upon such revocation, written notice thereof shall be given by the Police Department Board of License Commissioners to the holder of the

certificate in person or by certified mail addressed to his or her residence as set forth in the application.

B.

Immediately upon the giving of such notice, the certificate of registration shall become null and void.

C.

The certificate of registration shall state the expiration date thereof.

§ 337-5Residence notice preventing solicitation.

A.

Every person desiring to secure the protection provided by the regulations pertaining to soliciting contained in this chapter may comply with the following directions:

(1)

Notice of the determination of the occupant of the refusal of invitation to solicitors, to any resident, may be given in the manner following: A weatherproof card or sign, approximately three inches by four inches in size, shall be exhibited upon or near the main entrance door to the residence, indicating the determination by the occupant, containing the applicable words as follows: NO SOLICITORS INVITED.

(2)

The letters shall be at least one inch in height.

B.

A card or sign so exhibited shall constitute sufficient notice to any solicitor of the determination by the occupant of the residence of the information contained thereon.

§ 337-6Duties of solicitors.

A.

It shall be the duty of every solicitor, upon going onto any premises in the municipality upon which a residence as herein defined is located, to first examine the notice provided for in this chapter, if any is attached, and to be governed by the statement contained on any notice.

B.

Upon reading the sign, the solicitor shall immediately and peacefully depart. Any solicitor who has gained entrance to any residence, whether invited or

not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

§ 337-7Uninvited soliciting prohibited.

It is hereby declared to be unlawful for any person to go upon any premises and ring the doorbell upon or near any door or create any sound in any other manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof and engaging in soliciting as herein defined, in defiance of the notice exhibited at the residence in accordance with the provisions of § 337-5 of this chapter.

§ 337-8Fees.

Upon approval by the ~~Police Department and the~~ Board of License Commissioners of the application for a certificate of registration, the applicant shall pay the ~~Town-City~~ a fee in the amount determined by the ~~Police Department and the~~ Board of License Commissioners, ~~except that the Board of License Commissioners shall waive said fee for any charitable, religious, social, political action, or nonprofit group, including, but not limited to, veterans' groups, hospitals, the United Way, YMCA, and the American Red Cross.~~ In the event that any organization or group shall have more than one solicitor, the fee shall be per solicitor, ~~unless such fee is waived by the Board of License Commissioners as provided above.~~

Comment [DL4]: See attorney opinion 8.8.2018

§ 337-9Time restrictions.

It is hereby declared to be unlawful for any person, whether registered under this chapter or not, to go upon any premises and ring the doorbell upon or near any door of a residence located thereon, or rap or knock to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof, and engage in soliciting as herein defined, prior to 9:00 a.m. or after dusk of any weekday, or at any time on a Sunday or on a state or national holiday.

§ 337-10Badge permits to be displayed.

The ~~City Town~~ shall provide each solicitor with a badge-size permit for solicitation, which must be displayed conspicuously on the outer garment of the solicitor unless the Board of License Commissioners otherwise waives this requirement. ~~The actual cost of such badge-size permit(s) shall be in addition to the cost of the license fee.~~

Comment [DL5]: THIS NO LONGER APPLIES

§ 337-11Violations and penalties.

Any person who violates this chapter or the conditions of his/her permit may be arrested without a warrant in the place where the offense is committed pursuant to MGL c. 272, § 59. The penalty for such a violation of this chapter

shall be a fine not to exceed \$200, which may be recovered upon complaint before the District Court and shall inure to the ~~TownCity~~, all in accord with MGL c. 40, § 21.

DISCUSSION: Vice President Guin reported the Appointments & Ordinances Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-038.

Order no. FY 23-044

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL AMENDS THE CODE OF THE CITY OF GREENFIELD CHAPTER 408: VEHICLES AND TRAFFIC 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.

Chapter 408. Vehicles and Traffic

Global Changes

Change “Town” to “City”

§ 408-4. Metered spaces.

- A. The maximum parking time in all metered spaces is two or four hours, depending on the location. “Feeding” the meter past ~~two hours~~ the maximum time is not allowed.
- B. Meters accept nickels, dimes and quarters. Rates are annually set by the Mayor and kept on file in the Mayor’s office.
- C. Only United States currency may be used in parking meters; other currency will not register.
- D. Parking regulations are enforced Monday through ~~Saturday~~ Friday from 8:00 a.m. to ~~65~~:00 p.m. ~~Sundays-Weekends~~ and legal holidays (holidays on which municipal offices are closed) are excluded.

§ 408-5. Parking lots.

- A. Locations. Kiosks are used in ~~Town~~ City parking lots with the exception of the Pleasant Street Lot, which is permit parking only. Maximum parking limits are as follows. Rates for each lot are annually set by the Mayor.

Lot	Maximum Time (hours)
Ames Street Lot	4
Chapman and Davis (C and D) Lot	10
Fire Station Lot	4
Fiske Avenue <u>Lot</u>	2
Hope Street Lot	10
Legion Lot	4
Miles Street Lot	4
Olive Street Lot	4
Pleasant Street Lot	10 <u>No time limit</u>
Town Hall (rear) Lot	4

- B. The kiosks will accept nickels, dimes, quarters, debit cards and major credit cards. Only United States currency can be used; other currency will not register.

C. No parking is allowed between the hours of 1:00 a.m. and 6:00 a.m. from December 1st to

April 1st. Year round overnight parking is only allowed in designated areas.

§ 408-6. Parking permits.

- A. Parking permits may be purchased as set forth below for use in all Town-owned parking lots, except the Fiske Avenue lot.
- B. Long-term parking permits are available on a quarterly and annual basis for companies located in the Greenfield downtown area as well as individuals who work in the downtown area.
- C. Permit parking is not allowed in the Fiske Avenue lot or in any metered spaces. Permitted parking is available in all other lots regardless of the hourly parking limits in those lots. A list of the lots is as follows:
 - Ames Street Lot
 - Chapman and Davis (C and D) Lot
 - Fire Station Lot

Hope Street Lot

Legion Lot

Miles Street Lot

~~Olive Street Lot~~

Pleasant Street Lot

Town Hall (rear) Lot

- D. Parking regulations are enforced Monday through ~~Saturday~~ Friday from 8:00 a.m. to ~~65:00~~ 6:00 p.m. ~~Sundays Weekends~~ and legal holidays (holidays on which municipal offices are closed) are excluded.
- E. Permits can be purchased at the Greenfield Collector's Office at Town Hall, 14 Court Square, Greenfield, Monday through Friday from 8:30 a.m. to 5:00 p.m. Applicants should bring their vehicle registration or a copy of the registration into the Collector's Office when applying for the permit. The ~~annual~~ rates are set annually by the Mayor.
- F. ~~Payment must be made with cash or check. Debit and credit cards are not accepted.~~
Payment can be made with cash, check, debit card or major credit card. If permits are being purchased in bulk, the purchaser must provide the name and plate number(s) of individuals for whom they are purchasing permits. The bulk purchaser shall provide the Collector with one ~~check~~ payment for the purchase and the name and contact information of the person representing the bulk purchaser.
- G. Permits may be purchased individually for a minimum of three months at a rate per month. The rate is set annually by the Mayor.
- H. Annual permits will run from January through December.
- I. Refunds will be issued for full months only and only upon surrendering of the permit.
- J. The permit holder is responsible for the permit. Lost permits will be replaced at a cost of \$5.
- K. Permits are not transferable. If individuals typically drive different vehicles to work, they need to provide all vehicle plate numbers to the Collector's office at the time of application.
- L. Permits must be hung from the rear-view mirror. The hang-tag must be removed prior to driving the vehicle. If the tag is not removed, the driver may be ticketed for having an obstructed windshield.
- M. Year-round overnight parking is only allowed in designated spaces in the C and D Lot and Hope Street Lot.
- N. Violation of these guidelines will result in the standard parking ticket for the first offense. Revocation of the permit may also be a consequence.
- O. Monthly permits are available for the parking garage. Please see the City website.

DISCUSSION: Vice President Guin reported the Appointments & Ordinances Committee forwarded a unanimous positive recommendation with further proposed amendments. He noted that the information attached to the order was incorrect from what was voted on at A & O.

Without objection, this issue would be moved to the November City Council meeting.

Order no. FY 23-055

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL, PURSUANT TO CHARTER SECTION 2-10, AFFIRMS THE FOLLOWING APPOINTMENTS BY THE MAYOR:

Crossroads Cultural District Committee - Charlotte Treiber, Term to Expire Upon Project Completion

Planning Board (alternate) - Charles Kinney, Term to Expire December 31, 2025

DISCUSSION: Vice President Guin reported the Appointments & Ordinances Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-055.

Order no. FY 23-029

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

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, APPROVES REPURPOSING IN THE AMOUNT OF \$3,585,000 OF A PREVIOUSLY AUTHORIZED ANAEROBIC DIGESTER TO A SLUDGE DEWATERING PROJECT.

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-029.

Order no. FY 23-030

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

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, APPROVE THE PAYMENT OF PRIOR YEAR INVOICES FOR BAKER'S OFFICE SUPPLY IN THE AMOUNT OF \$113.80 TO BE PAID FROM THE FY23 ASSESSORS DEPARTMENT BUDGET.

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation.

It was by roll call, 13 yes, 0 no,

VOTED: TO APPROVE ORDER NO. FY 23-030.

Order no. FY 23-054

MOTION: On a motion by Councilor Forgey, second by Councilor Terounzo, it was,

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, ACCEPT THE CITY'S QUARTERLY GRANT LIST INCLUDING CURRENT AND PENDING GRANTS TO THE CITY OF GREENFIELD.

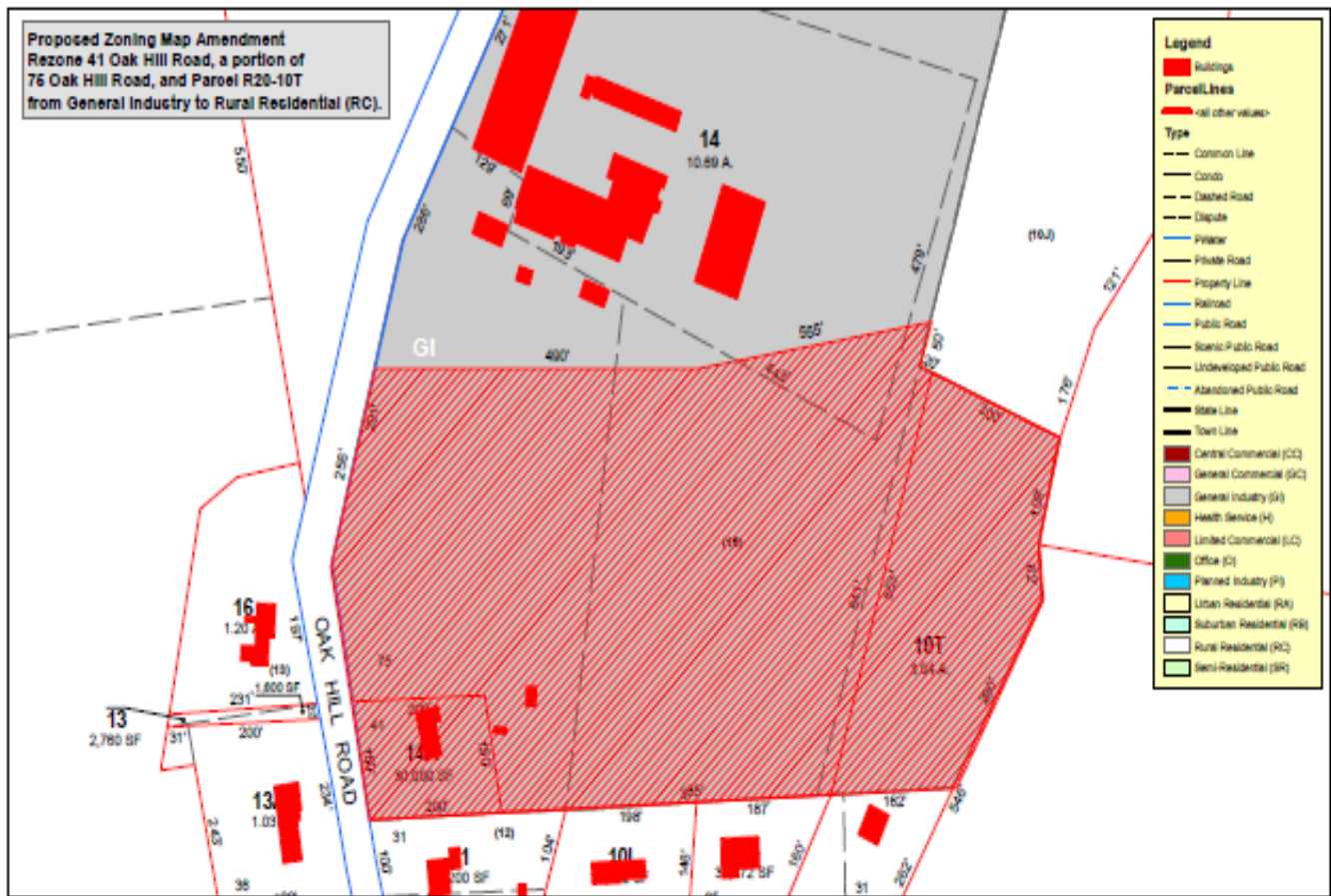
DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a majority positive recommendation, 3 yes, 2 abstained. Other comments included:

- Some Councilors had requested a quarterly report on the number of grants the City had applied for and their current status.
- Clarification as to what the Council would be accepting in this report.
- Confusion as to reason the Council had to vote on a report they requested from the Mayor.

MOTION: On a motion by Councilor Mayo, no second, it was,

FAILED FOR LACK OF A SECOND: TO TABLE ORDER NO. FY23-054.

MOTION: On a motion by Councilor Guin, second by Councilor Forgey, it was,



MOVED: TO AMEND THE LANGUAGE BY STRIKING THE WORD “ACCEPT” AND REPLACING WITH “ACKNOWLEDGE RECEIPT AND APPRECIATION OF” THE CITY’S QUARTERLY GRANT LIST.

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

MOVED: TO ADD THE FOLLOWING LANGUAGE AFTER THE CITY OF GREENFIELD “AND THAT ALL FUTURE REPORTS BY SENT TO COUNCIL.”

Councilors withdrew their motions and seconds to amend this order.

President Gilmour called for a recess at 10:04 pm.

President Gilmour resumed the meeting at 10:11 pm.

Mayor Wedegartner provided a short rationale for the submission of the proposed order. After determination that a vote to accept the report was not necessary from the Council, the Mayor withdrew the order.

Order no. FY 23-042

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

MOVED: THAT IT BE ORDERED THE CITY COUNCIL OF GREENFIELD AMEND THE ZONING MAP FOR 41 OAK HILL ROAD, PORTION OF 75 OAK HILL ROAD AND PARCEL R20-10T FROM GENERAL INDUSTRY (GI) TO RURAL RESIDENTIAL (RC). (MAP ATTACHED) 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 CITY OF GREENFIELD.

DISCUSSION: Councilor Elmer reported the Economic Development Committee forwarded a unanimous positive recommendation as well as the Planning Board.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-042.

Order no. FY 23-065

MOTION: On a motion by Councilor Terounzo, second by Councilor Elmer, it was unanimously,

VOTED: THAT IT BE ORDERED THE GREENFIELD CITY COUNCIL HEREBY APPROVES THE ATTACHED STATE GENERAL ELECTION WARRANT FOR NOVEMBER 8, 2022, AND FURTHER AUTHORIZES THE CITY COUNCIL PRESIDENT TO SIGN SAID WARRANT ON BEHALF OF THE CITY COUNCIL.

COMMONWEALTH OF MASSACHUSETTS

WILLIAM FRANCIS GALVIN

SECRETARY OF THE COMMONWEALTH

WARRANT FOR 2022 STATE ELECTION – NOVEMBER 8, 2022

SS. FRANKLIN

To either of the Constables of the Town of Greenfield

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in Primaries to vote at: **GREENFIELD HIGH SCHOOL GYMNASIUM, BARR AVENUE, PRECINCTS – 1, 2, 3, 4, 5, 6, 7, 8 & 9.**

On **TUESDAY, THE EIGHTH DAY OF NOVEMBER, 2022**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the candidates for the following offices:

GOVERNOR and LIEUTENANT GOVERNOR.....	FOR THIS COMMONWEALTH
ATTORNEY GENERAL.....	FOR THIS COMMONWEALTH
SECRETARY OF STATE.....	FOR THIS COMMONWEALTH
TREASURER.....	FOR THIS COMMONWEALTH
AUDITOR.....	FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS.....	SECOND DISTRICT
COUNCILLOR.....	EIGHTH DISTRICT
SENATOR IN GENERAL COURT.....	HAMPSHIRE, FRANKLIN & WORCESTER DISTRICT
REPRESENTATIVE IN GENERAL COURT...FIRST & SECOND FRANKLIN DISTRICT	
DISTRICT ATTORNEY.....	NORTHWESTERN DISTRICT
SHERIFF.....	FRANKLIN COUNTY
COUNCIL OF GOVERNMENTS EXECUTIVE COMMITTEE.....	FRANKLIN COUNTY

QUESTION 1: PROPOSED AMENDMENT TO THE CONSTITUTION

Do you approve of the adoption of an amendment to the constitution summarized below, which was approved by the General Court in joint sessions of the two houses on June 12, 2019 (yeas 147 – nays 48); and again on June 9, 2021 (yea 159 – nays 41)?

SUMMARY

This proposed constitutional amendment would establish an additional 4% state income tax on that portion of annual taxable income in excess of \$1 million. This income level would be adjusted annually, by the same method used for federal income-tax brackets, to reflect increases in the cost of living. Revenues from this tax would be used, subject to appropriation by the state Legislature, for public education, public colleges and universities; and for the repair and maintenance of roads, bridges, and public transportation. The proposed amendment would apply to tax years beginning on or after January 1, 2023.

A YES VOTE would amend the state Constitution to impose an additional 4% tax on that portion of incomes over one million dollars to be used, subject to appropriation by the state Legislature, on education and transportation.

A NO VOTE would make no change in the state Constitution relative to income tax.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2022?

SUMMARY

This proposed law would direct the Commissioner of the Massachusetts Division of Insurance to approve or disapprove the rates of dental benefit plans and would require that a dental insurance carrier meet an annual aggregate medical loss ratio for its covered dental benefit plans of 83 percent. The medical loss ratio would measure the amount of premium dollars a dental insurance carrier spends on its members' dental expenses and quality improvements, as opposed to administrative expenses. If a carrier's annual aggregate medical loss ratio is less than 83 percent, the carrier would be required to refund the excess premiums to its covered individuals and groups. The proposed law would allow the Commissioner to waive or adjust the refunds only if it is determined that issuing refunds would result in financial impairment for the carrier.

The proposed law would apply to dental benefit plans regardless of whether they are issued directly by a carrier, through the connector, or through an intermediary. The proposed law would not apply to dental benefit plans issued, delivered, or renewed to a self-insured group or where the carrier is acting as a third-party administrator.

The proposed law would require the carriers offering dental benefit plans to submit information about their current and projected medical loss ratio, administrative expenses, and other financial information to the Commissioner. Each carrier would be required to submit an annual comprehensive financial statement to the Division of Insurance, itemized by market group size and line of business. A carrier that also provides administrative services to one or more self-insured groups would also be required to file an appendix to their annual financial statement with information about its self-insured business. The proposed law would impose a late penalty on a carrier that does not file its annual report on or before April 1.

The Division would be required to make the submitted data public, to issue an annual summary to certain legislative committees, and to exchange the data with the Health Policy Commission. The Commissioner would be required to adopt standards requiring the registration of persons or entities not

otherwise licensed or registered by the Commissioner and criteria for the standardized reporting and uniform allocation methodologies among carriers.

The proposed law would allow the Commissioner to approve dental benefit policies for the purpose of being offered to individuals or groups. The Commissioner would be required to adopt regulations to determine eligibility criteria.

The proposed law would require carriers to file group product base rates and any changes to group rating factors that are to be effective on January 1 of each year on or before July 1 of the preceding year. The Commissioner would be required to disapprove any proposed changes to base rates that are excessive, inadequate, or unreasonable in relation to the benefits charged. The Commissioner would also be required to disapprove any change to group rating factors that is discriminatory or not actuarially sound.

The proposed law sets forth criteria that, if met, would require the Commissioner to presumptively disapprove a carrier's rate, including if the aggregate medical loss ratio for all dental benefit plans offered by a carrier is less than 83 percent.

The proposed law would establish procedures to be followed if a proposed rate is presumptively disapproved or if the Commissioner disapproves a rate.

The proposed law would require the Division to hold a hearing if a carrier reports a risk-based capital ratio on a combined entity basis that exceeds 700 percent in its annual report.

The proposed law would require the Commissioner to promulgate regulations consistent with its provisions by October 1, 2023. The proposed law would apply to all dental benefit plans issued, made effective, delivered, or renewed on or after January 1, 2024.

A YES VOTE would regulate dental insurance rates, including by requiring companies to spend at least 83% of premiums on member dental expenses and quality improvements instead of administrative expenses, and by making other changes to dental insurance regulations.

A NO VOTE would make no change in the law relative to the regulations that apply to dental insurance companies.

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2022?

SUMMARY

This proposed law would increase the statewide limits on the combined number of licenses for the sale of alcoholic beverages for off-premises consumption (including licenses for “all alcoholic beverages” and for “wines and malt beverages”) that any one retailer could own or control: from 9 to 12 licenses in 2023; to 15 licenses in 2027; and to 18 licenses in 2031.

Beginning in 2023, the proposed law would set a maximum number of “all alcoholic beverages” licenses that any one retailer could own or control at 7 licenses unless a retailer currently holds more than 7 such licenses.

The proposed law would require retailers to conduct the sale of alcoholic beverages for off-premises consumption through face-to-face transactions and would prohibit automated or self-checkout sales of alcoholic beverages by such retailers.

The proposed law would alter the calculation of the fine that the Alcoholic Beverages Control Commission may accept in lieu of suspending any license issued under the State Liquor Control Act. The proposed law would modify the formula for calculating such fee from being based on the gross profits on the sale of alcoholic beverages to being based on the gross profits on all retail sales.

The proposed law would also add out-of-state motor vehicle licenses to the list of the forms of identification that any holder of a license issued under the State Liquor Control Act, or their agent or employee, may choose to reasonably rely on for proof of a person's identity and age.

A YES VOTE would increase the number of licenses a retailer could have for the sale of alcoholic beverages to be consumed off premises, limit the number of “all-alcoholic beverages” licenses that a retailer could acquire, restrict use of self-checkout, and require retailers to accept customers’ out-of-state identification.

A NO VOTE would make no change in the laws governing the retail sale of alcoholic beverages.

QUESTION 4: REFERENDUM ON AN EXISTING LAW

Do you approve of a law summarized below, which was approved by the House of Representatives and the Senate on May 26, 2022?

SUMMARY

This law allows Massachusetts residents who cannot provide proof of lawful presence in the United States to obtain a standard driver's license or learner's permit if they meet all the other qualifications for a standard license or learner's permit, including a road test and insurance, and provide proof of their identity, date of birth, and residency. The law provides that, when processing an application for such a license or learner's permit or motor vehicle registration, the registrar of motor vehicles may not ask about or create a record of the citizenship or immigration status of the applicant, except as otherwise required by law. This law does not allow people who cannot provide proof of lawful presence in the United States to obtain a REAL ID.

To prove identity and date of birth, the law requires an applicant to present at least two documents, one from each of the following categories: (1) a valid unexpired foreign passport or a valid unexpired Consular Identification document; and (2) a valid unexpired driver's license from any United States state or territory, an original or certified copy of a birth certificate, a valid unexpired foreign national identification card, a valid unexpired foreign driver's license, or a marriage certificate or divorce decree issued by any state or territory of the United States. One of the documents presented by an applicant must include a photograph and one must include a date of birth. Any documents not in English must be accompanied by a certified translation. The registrar may review any documents issued by another country to determine whether they may be used as proof of identity or date of birth.

The law requires that applicants for a driver's license or learner's permit shall attest, under the pains and penalties of perjury, that their license has not been suspended or revoked in any other state, country, or jurisdiction.

The law specifies that information provided by or relating to any applicant or license-holder will not be a public record and shall not be disclosed, except as required by federal law or as authorized by Attorney General regulations, and except for purposes of motor vehicle insurance.

The law directs the registrar of motor vehicles to make regulations regarding the documents required of United States citizens and others who provide proof of lawful presence with their license application.

The law also requires the registrar and the Secretary of the Commonwealth to establish procedures and regulations to ensure that an applicant for a standard driver's license or learner's permit who does not provide proof of lawful presence will not be automatically registered to vote.

The law takes effect on July 1, 2023.

A YES VOTE would keep in place the law, which would allow Massachusetts residents who cannot provide proof of lawful presence in the United States to obtain a driver's license or permit if they meet the other requirements for doing so.

A NO VOTE would repeal this law.

PUBLIC POLICY QUESTION – NON BINDING QUESTION

FIRST FRANKLIN DISTRICTS

QUESTION 5: THIS QUESTION IS NOT BINDING

Shall the representative from this district be instructed to introduce and vote for legislation that puts a fee on the carbon content of fossil fuels to compensate for their environmental damage and returns most of the proceeds in equitable ways to individuals as a cash-back dividend?

YES ☐

NO ☐

PUBLIC POLICY QUESTION – NON BINDING QUESTIONS

SECOND FRANKLIN DISTRICTS

QUESTION 5: THIS QUESTION IS NOT BINDING

Shall the representative for this district be instructed to vote for legislation to create a single payer system of universal health care that provides all Massachusetts residents with comprehensive health care coverage including the freedom to choose doctors and other health care professionals, facilities, and services, and eliminates the role of insurance companies in health care by creating an insurance trust fund that is publicly administered?

YES ☐

NO ☐

QUESTION 6: THIS IS NOT BINDING

Shall the representative for this district be instructed to vote in favor of changes to the applicable House of Representative rules to make each Legislator's vote in that body's Legislative committees publicly available on the Legislature's website?

YES ☐

NO ☐

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 19th day of October, 2022.

City Council President Sheila Gilmour
As authorized by a vote of the Greenfield City Council

By Constable posting:

Constable

Date of posting.

Warrant must be posted by **November 1, 2022** (at least *seven days prior* to the **November 8, 2022** State Election).

President Gilmour signed the warrant.

Order no. FY 23-059

MOTION: On a motion by Councilor Lapienski, second by Councilor Forgey, it was by majority, 2 no, **VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL TAKE FROM THE TABLE ORDER NO. FY 22-155 "~~\$175,000~~ **\$100,000** BE APPROPRIATED FROM FUND 8400 GENERAL STABILIZATION TO FUND AN INDEPENDENT ASSESSMENT / AUDIT OF THE CITY OF GREENFIELD'S POLICE DEPARTMENT'S STRUCTURE, POLICIES AND PRACTICES. AREAS TO BE COVERED INCLUDE, BUT ARE NOT LIMITED, THE FOLLOWING: ORGANIZATIONAL STRUCTURE AND GOVERNANCE; OPERATING POLICIES AND PROCEDURES; DEPARTMENT CULTURE; HIRING AND PROMOTIONAL PRACTICES; PROFESSIONAL STANDARDS AND ACCOUNTABILITY; BUDGETING AND PLANNING" WHICH WAS TABLED AT THE SEPTEMBER 21, 2022, CITY COUNCIL MEETING.

Order No. FY22-155 was now on the floor: "~~\$175,000~~ **\$100,000** BE APPROPRIATED FROM FUND 8400 GENERAL STABILIZATION TO FUND AN INDEPENDENT ASSESSMENT / AUDIT OF THE CITY OF GREENFIELD'S POLICE DEPARTMENT'S STRUCTURE, POLICIES AND PRACTICES. AREAS TO BE COVERED INCLUDE, BUT ARE NOT LIMITED, THE FOLLOWING: ORGANIZATIONAL STRUCTURE AND GOVERNANCE; OPERATING

POLICIES AND PROCEDURES; DEPARTMENT CULTURE; HIRING AND PROMOTIONAL PRACTICES; PROFESSIONAL STANDARDS AND ACCOUNTABILITY; BUDGETING AND PLANNING.

DISCUSSION: Councilors agree that an audit may not be beneficial at this time and the amount requested was deemed too high an expense.

It was by roll call, 0 yes, 13 no,

DEFEATED: TO APPROVE ORDER NO. FY 22-155.

Order no. FY 23-061

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

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL TAKE FROM THE TABLE ORDER NO. FY 23-027 “VOTE TO RESCIND THE FOLLOWING BORROWING AUTHORIZATION BY \$500,000. REVISED AUTHORIZATION \$19,041,296” WHICH WAS TABLED AT THE SEPTEMBER 21, 2022, CITY COUNCIL MEETING.

Order No. FY23-027 was now on the floor: UPON RECOMMENDATION OF THE MAYOR, VOTE TO RESCIND THE FOLLOWING BORROWING AUTHORIZATION BY \$500,000. REVISED AUTHORIZATION \$19,041,296

PURPOSE	DATE OF VOTE	ART #	AMT AUTH
New Library	03/20/19	19-050	19,541,296
		Reduce	-500,000

Revised Authorization: 19,041,296

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation at their October 18, 2022 meeting.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-027.

Order no. FY 23-062

MOTION: On a motion by Councilor Terounzo, second by Councilor Guin, it was unanimously,

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL TAKE FROM THE TABLE ORDER NO. FY 23-028 “AN ADDITIONAL SUM OF \$500,000 BE APPROPRIATED FOR THE CONSTRUCTION OF A NEW FIRE STATION, AND TO MEET SAID APPROPRIATION THE TREASURER, WITH THE APPROVAL OF THE MAYOR, IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$500,000, PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44 OR ANY OTHER ENABLING STATUTE, AND THE MAYOR IS HEREBY AUTHORIZED TO APPLY FOR, CONTRACT FOR, ACCEPT AND EXPEND ANY FEDERAL AND/OR STATE GRANTS AVAILABLE FOR THIS PROJECT TO BE USED TO REDUCE THE WITHIN APPROPRIATION, AND FURTHER, THE MAYOR IS AUTHORIZED TO TAKE ANY ACTION NECESSARY TO CARRY OUT THE INTENT AND PURPOSE OF THIS PROJECT; AND FURTHER, IN ACCORDANCE WITH M.G.L. C. 44, §20, THE PREMIUM RECEIVED BY THE CITY UPON THE SALE OF ANY BONDS OR NOTES HEREUNDER, 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 THE PROJECT SHALL BE REDUCED BY THE AMOUNT OF ANY SUCH PREMIUM SO APPLIED.” WHICH WAS TABLED AT THE SEPTEMBER 21, 2022, CITY COUNCIL MEETING.

Order No. FY23-028 was now on the floor: AN ADDITIONAL SUM OF \$500,000 BE APPROPRIATED FOR THE CONSTRUCTION OF A NEW FIRE STATION, AND TO MEET SAID APPROPRIATION THE TREASURER, WITH THE APPROVAL OF THE MAYOR, IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$500,000, PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44 OR ANY OTHER ENABLING STATUTE, AND THE MAYOR IS HEREBY AUTHORIZED TO APPLY FOR, CONTRACT FOR, ACCEPT AND EXPEND ANY FEDERAL AND/OR STATE GRANTS AVAILABLE FOR THIS PROJECT TO BE USED TO REDUCE THE WITHIN APPROPRIATION, AND FURTHER, THE MAYOR IS AUTHORIZED TO TAKE ANY ACTION NECESSARY TO CARRY OUT THE INTENT AND PURPOSE OF THIS PROJECT; AND FURTHER, IN ACCORDANCE WITH M.G.L. C. 44, §20, THE PREMIUM RECEIVED BY THE CITY UPON THE SALE OF ANY BONDS OR NOTES HEREUNDER, 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 THE PROJECT SHALL BE REDUCED BY THE AMOUNT OF ANY SUCH PREMIUM SO APPLIED.

DISCUSSION: It was noted the specific wording used in the proposed order came from the Bond Council due to the fact that it would need to go against the debt; however, it was unlikely the change in language would affect the order. Other comments included:

- It was noted the Ways & Means Committee forwarded a majority positive recommendation with 3 yes and 2 no at their October 18, 2022, meeting.
- Further clarification to the effect on the City if the funds were borrowed.
- Necessity to fund the construction of a new Fire Station.

MOTION: On a motion by Councilor Golub, second by Councilor Lapienski, it was unanimously, **VOTED:** TO REPLACE THE WORD “MAY” WITH “SHALL”.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-028, AS AMENDED: AN ADDITIONAL SUM OF \$500,000 BE APPROPRIATED FOR THE CONSTRUCTION OF A NEW FIRE STATION, AND TO MEET SAID APPROPRIATION THE TREASURER, WITH THE APPROVAL OF THE MAYOR, IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$500,000, PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44 OR ANY OTHER ENABLING STATUTE, AND THE MAYOR IS HEREBY AUTHORIZED TO APPLY FOR, CONTRACT FOR, ACCEPT AND EXPEND ANY FEDERAL AND/OR STATE GRANTS AVAILABLE FOR THIS PROJECT TO BE USED TO REDUCE THE WITHIN APPROPRIATION, AND FURTHER, THE MAYOR IS AUTHORIZED TO TAKE ANY ACTION NECESSARY TO CARRY OUT THE INTENT AND PURPOSE OF THIS PROJECT; AND FURTHER, IN ACCORDANCE WITH M.G.L. C. 44, §20, THE PREMIUM RECEIVED BY THE CITY UPON THE SALE OF ANY BONDS OR NOTES HEREUNDER, LESS ANY SUCH PREMIUM APPLIED TO THE PAYMENT OF THE COSTS OF ISSUANCE OF SUCH BONDS OR NOTES, ~~MAY~~ **SHALL** BE APPLIED TO PAY PROJECT COSTS AND THE AMOUNT AUTHORIZED TO BE BORROWED FOR THE PROJECT SHALL BE REDUCED BY THE AMOUNT OF ANY SUCH PREMIUM SO APPLIED.

Order no. FY 23-064

MOTION: On a motion by Councilor Lapienski, second by Councilor Mayo, it was by roll call, 10 yes, 2 no,

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL TAKE FROM THE TABLE ORDER NO. FY 23 -013 “TO AMEND THE CITY COUNCIL RULES OF PROCEDURE §565-8, RULE 8, ORDER AND DISPOSITION OF BUSINESS, SECTION A: AGENDA, SUBSECTION (1) TO ADD TEN (10) MINUTES TIME FOR COMMUNICATIONS WITH THE MAYOR AND SUPERINTENDENT OF SCHOOLS AND SCHOOL COMMITTEE.” WHICH WAS TABLED AT THE SEPTEMBER 21, 2022, CITY COUNCIL MEETING.

Order No. FY23-013 was now on the floor: THAT THE GREENFIELD CITY COUNCIL VOTES TO AMEND THE CITY COUNCIL RULES OF PROCEDURE §565-8, RULE 8, ORDER AND DISPOSITION OF BUSINESS, SECTION A: AGENDA, SUBSECTION (1) TO ADD TEN (10) MINUTES TIME FOR COMMUNICATIONS WITH THE MAYOR AND SUPERINTENDENT OF SCHOOLS AND SCHOOL COMMITTEE.

MOTION: On a motion by Councilor Lapienski, second by Councilor Golub, it was unanimously, **VOTED:** TO RETAIN THE WORD “FROM” AND NOT REPLACE AS “WITH”.

DISCUSSION: A time limit listed for the Communications may deter speakers from reporting important information to the Councilors as well as the public. Other comments included:

- Time limits would be unenforceable.
- The intent of listing a time limit would provide the speakers the ability to remain on topics and present a more organized report.

It was by roll call, 8 yes, 4 no,

VOTED: TO APPROVE ORDER NO. FY 23-013, AS AMENDED:

§ 565-8. Rule 8, Order and Disposition of Business.

A. AGENDA

(1) At every regular meeting of the City Council the order of business shall be as follows:

- (1) Call To Order
- (2) Roll Call Of Members
- (3) Pledge Of Allegiance (Voluntary)
- (4) Approval Of Minutes From Previous Meeting
- (5) Communications From Superintendent Of Schools And School Committee **(10 minutes)**
- (5a) Questions From The Council For Superintendent Of Schools And School Committee**
- (6) Communications From Mayor, City Officers And Employees **(10 minutes)**
- (6a) Questions From The Council For Mayor**
- (7) Communications From Other City Employees As Needed, By Invitation
- (8) Public Comment
- (9) Public Hearings
- (10) Motions, Orders, And Resolutions
- (11) Presentation Of Petitions Or Similar Papers
- (12) Reports Of Committees
- (13) Unfinished Business
- (14) Old Business
- (15) New Business
- (16) Motions For Reconsideration
- (17) Adjournment

MOTION: On a motion by Councilor Lapienski, second by Councilor Mayo, it was by majority, 1 yes,

DEFEATED: THAT THE GREENFIELD CITY COUNCIL TAKE FROM THE TABLE “MOVED THAT IT BE RESOLVED: THE CITY COUNCIL FINDS FULL AND APPROPRIATE REASON TO DECLARE THAT POLICE CHIEF ROBERT HAIGH HAS LOST THE CONFIDENCE OF THE CITIZENS OF GREENFIELD; AND FINDS FURTHER REASON TO DECLARE THAT MAYOR ROXANNE WEDEGARTNER, DUE TO HER PUBLIC SUPPORT OF CHIEF HAIGH, HAS SIMILARLY LOST THE CONFIDENCE OF THE CITIZENS OF GREENFIELD. THE CITY COUNCIL THEREFORE CALLS ON THE MAYOR TO RECTIFY THIS CRISIS OF CONFIDENCE EITHER BY FIRING CHIEF HAIGH IMMEDIATELY OR BY RESIGNING FROM OFFICE.” WHICH WAS TABLED AT THE SEPTEMBER 21, 2022, CITY COUNCIL MEETING.

PRESENTATION OF PETITIONS AND SIMILAR PAPERS None.

REPORTS OF COMMITTEES – None.

UNFINISHED BUSINESS: None.

OLD BUSINESS: None.

NEW BUSINESS: Clerk Scott noted that early voting would be starting this week and to check the City’s website for dates and times. Due to an issue with the first set of ballots received by the Clerk’s office, a second set of ballots had to be delivered to the Clerk’s office. The bulk of mail-in ballots had been mailed to the voters this week.

- Councilor Forgey noted that the Capital Improvement Committee will begin meeting on Friday, October 21, 9:30 am, via Zoom to discuss the Capital Budget request items for FY2024.

Councilor Forgey held the following first reading:

City Council – First Reading- October 19, 2022

- Appropriate \$2,500,000 from Free Cash to Capital Stabilization Fund 8402.
- Appropriate \$200,000 from Free Cash to Compensated Absences Fund 8450.
- Appropriate \$200,000 from Free Cash to Contract Stabilization Fund 8403.
- Appropriate \$100,000 from Free Cash to General Stabilization Fund 8400.
- Appropriate \$600,000 from Free Cash to reduce the FY2023 tax rate.
- Transfer \$107,300 from Free Cash to FY23 General Fund Vehicle Fuel Accounts.
- Appropriate \$8,500 from Sewer Retained Earnings to FY23 Sewer Vehicle Fuel Accounts.
- Appropriate \$10,000 from Water Retained Earnings to FY23 Water Vehicle Fuel Accounts.
- Appropriate \$14,387 from FY22 Reserve Fund to FY23 Weights and Measures Contracted Services.

Councilor Elmer read the following notice of zoning amendments:

Notice of Zoning Amendment proposals – October 19, 2022

The following zoning amendment proposals have been submitted to the Greenfield City Council for consideration:

- Zoning Amendment to Rezone French King Highway from General Commercial (GC) to Planned Industry (PI).

MOTIONS FOR RECONSIDERATION: None.

ADJOURNMENT: On a motion by Councilor Ricketts, second by Councilor Guin, it was unanimously,
VOTED: TO ADJOURN THE MEETING AT 11:32 P.M.

A true copy,

Attest: _____
 Kathryn J. Scott, City Clerk

GREENFIELD CITY COUNCIL MEMBERS

John Zon Community Center/Zoom Hybrid
 Regular Meeting
 October 19, 2022

	Attendance	FY23-030	FY22-155	FY23-064 Take from Table	FY23-013	
1. Golub, Katherine	Y	Y	N	Y	Y	
2. Guin, Daniel	Y	Y	N	Y	Y	
3. Desorgher, Virginia	Y	Y	N	Y	Y	
4. Bottomley, John	Y	Y	N	Y	Y	
5. Bullock, Marianne	Y	Y	N	Y	Y	
6. Gilmour, Sheila	Y	Y	N	----	----	
7. Lapienski, Jasper	Y	Y	N	Y	Y	
8. Mayo, Douglas	Y	Y	N	Y	Y	
9. Helie, Derek	Y	Y	N	Y	N	
10. Elmer, Philip	Y	Y	N	N	N	
11. Forgey, Christine	Y	Y	N	Y	Y	
12. Ricketts, Penny	Y	Y	N	Y	N	
13. Terounzo, Michael	Y	Y	N	N	N	
		13 y 0 n	0 y 13 n	10 y 2 n	8 y 4 n	

GREENFIELD CITY COUNCIL

Regular Meeting Minutes

November 16, 2022

John Zon Community Center/Zoom Hybrid

6:30 pm

CALL TO ORDER: Meeting was called to order at 6:30 p.m. by President Gilmour.

CHAIRS STATEMENT: This meeting is being recorded by the City Council and GCTV-17. If any other persons present are doing the same you must notify the chairperson at this time. In accordance with MGLc 30A SS 20(g) “No person shall address a meeting of a public body without permission of the Chair and all persons shall, at the request of the chair, be silent. No person shall disrupt the proceedings of a meeting of a public body. If, after clear warning from the chair, a person continues to disrupt the proceedings, the chair may order the person to withdraw from the meeting and if the person does not withdraw, the chair may authorize a constable or other officer to remove the person from the meeting.”

ROLL CALL OF MEMBERS: Roll Call was taken. All members were present. (Councilor Mayo appeared via Zoom).

It was noted that there were technical difficulties with the audio on the virtual application.

ALSO PRESENT: Mayor Roxann Wedegartner; City Clerk Kathryn J. Scott; Finance Director/City Auditor/City Accountant Elizabeth Gilman; Chief of Staff Danielle Letourneau; Greenfield School Superintendent Dr. Christine DeBarge; Vice School Committee Chairperson Jean Wall; Chief Assessor Randall Austin; Board of Assessors Joseph Ruggeri and James Geisman; DPW Director Marlo Warner; GCTV-17 staff; Mary Byrne, *the Recorder*; and members of the public.

The Pledge of Allegiance was held.

ACCEPTANCE OF MINUTES: None.

COMMUNICATIONS:

SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE: Dr. DeBarge and Vice Chair Wall reported the following:

- Received a donation of \$304.00 from seven members of the Greenfield High School class of 1954 towards the Greenfield Elementary School Literary Program.
- Would receive a donation of 400 dictionaries from the Greenfield Elks club to be used by every 3rd grader attending the schools.
- Middle School physical education teacher and softball coach John Hickey was recognized as the MIAA (Massachusetts Interscholastic Athletic Association) coach of the year.
- Steps were taken to prepare and submit a Safe Routes to School Grant to aid in sidewalk repair and safety.

Councilors asked the following questions:

- Status on contract negotiation settlements with teachers and assistants.
- Status on the reserves of ESSER (Elementary and Secondary School Emergency Relief) funds and their use towards funding teacher negotiated salaries.

MAYOR, CITY OFFICERS AND EMPLOYEES: Mayor Wedegartner reported the following:

- City broke ground on the new Fire Station on Monday.

- The Wilson's department store building was sold to Mass Development and TCB (Community Builders) and was expected to construct mixed income housing as well as an extension to the Greenfield co-op.
- Diana Schindler would begin her employment with the City as the new Finance Director to replace Liz Gilman.
- Thanked members of the City Hall staff, notably the new assistant City Clerk Quinn Jacquins and the new Clerk's administrative assistant Kat Chilik, for their handling of the State Elections on November 8th while the Clerk was recovering from an illness at home.
- Capital Budget Meetings would begin on Friday, December 2, with Department Heads presenting their requests to the Capital Improvement Committee.
- Mayor's office prepared a program entitled "Dialogues Across Differences: A Community Conversation" which would comprise of 3 meetings pertaining to difficult conversations around some issues the City had been facing including race, gender, etc. This would be facilitated by 2 professionals in the field, Tanisha Arena and JAC Patrissi on Zoom from 5:30 pm to 7:30 pm, on November 28, December 5 and December 19, 2022.
- RFP (Request for Proposal) for the 1st National Bank building will go out on November 30, 2022.
- Addressed the orders submitted by the Mayor's office regarding the transfer from Free Cash to various stabilization and other accounts.

Councilors asked the following questions:

- Reason for the additional request for \$500,000 towards the construction of the new Fire Station if the City had previously received a grant from the USDA for almost \$1 million dollars.
- Guarantee from the new owners of Wilson's department store building that mixed income housing would be installed in there.

MOTION: On a motion by Councilor Lapienski, second by Councilor Bottomley, it was,

MOVED: THAT IT BE ORDERED, THAT THE GREENFIELD CITY COUNCIL WAIVE THE RULES OF PROCEDURE, 8 ORDER AND DISPOSITION OF BUSINESS.

DISCUSSION: Suggestion was made to allow the public to speak first in order to have the tax rate presentation and related public hearing consecutively. However, it was noted that the Assessors could be inconvenienced if they had to stay later and wait until after the public comment section.

It was by roll call, 7 yes, 5 no,

VOTED: TO WAIVE THE RULES OF PROCEDURE.

PUBLIC COMMENT: The following members of the public spoke:

- Ryan Whitney, Chapman Street, spoke to an incident in which Board of Assessors member Joseph Ruggeri failed to obtain a building permit for renovation to his property and asked how many other instances of building without applying for a permit had occurred.
- Paki Wieland, High Street, spoke in favor of the Council and Mayor's support to the passing of HR 3053 regarding home equity distribution.
- Kate Pousont Scarborough, Montague City Road, spoke in favor of the Council and Mayor's support to the passing of HR3053 regarding home equity distribution.
- Jon Magee, Green Street, spoke to the Greenfield Police Department's repeated violation of the Federal Labor Law on behalf of BayState Franklin Hospital against nurses and their unions.
- Sean Thomas, Maple Street, inquired if the Council could establish a Committee to review homes that were about to IRA down south 10 days prior to ensure due process and fair representation for homeowners.

- Joan Marie Jackson and Mitchell Speight, Chestnut Hill, spoke to their experience with their property in tax title and supporting the resolution to urge the State to pass HR 3053 regarding home equity distribution.
- Tom Tolg, Walnut Street, spoke to the discontinuation of “Home Equity Theft” by the City.
- Susan Worgaftik, Forest Avenue, thanked the administration on their work with the Wilson’s building being turned into mixed income housing. Hoped to see the same affordable housing project at the Hope Street parking lot once the new Fire Station was built.
- Tara Cloutier, Colrain Road, spoke to urge the Council cut the [capital] stabilization fund and move \$800,000 to the contract stabilization fund for teacher’s contracts.
- Jean Wall, Country Side Road, spoke to her disappointment with the Ways & Means Committee’s response to the failure of Board of Assessors member Joseph Ruggeri to obtain a building permit for the renovation of his commercial property and the importance of applying for a building permit. She noted that this was not the first offence against Mr. Ruggeri and believed he should resign his position from the Board of Assessors.
- Rose Skriloff, Linden Avenue, spoke to the pay provided to the Greenfield public school’s Instructional Assistants and compared to their pay with higher paying positions in and around the City of Greenfield.
- Pamela Goodwin, High Street, spoke to the lack of bathroom facilities and the promise of a “Portland Loo” installed in downtown Greenfield. She spoke to her work with the State on the prevention of the high number of evictions.

OTHER CITY EMPLOYEES AS NEEDED, BY INVITATION: Chief Assessor Austin and Board of Assessors Ruggeri and Geisman reported the following:

- Provided a presentation of the tax rate classification report as was presented at the Ways & Means Committee meeting the previous night.
- Rationale against a split tax rate.
- Explanation not to adopt a small commercial exemption.
- Explanation not to adopt a residential exemption.

Councilors asked the following questions:

- RO (Residential) percentage of total and CIP (Commercial Industrial) percentage of total.
- Single tax rate recommended due to the volume of residential property compared to commercial.
- Elaboration of the significant increase in personal property and new growth.

Councilor Ricketts left the rail at 8:06 pm.

PUBLIC HEARINGS: President Gilmour opened the public hearings at 8:09 pm.

Councilor Forgey read the public hearings:

PUBLIC HEARING

In accordance with Home Rule Charter, the Greenfield City Council will hold a public hearing on Wed., November 16, 2022, at 6:30 p.m. at John Zon Community Center, 35 Pleasant St., and Zoom:

<https://greenfield-ma-gov.zoom.us/j/98386735754?pwd=VGFSQSFk2OE5Ld0gxVTQvb0tWTytkdz09>
Meeting ID 983 8673 5754 to receive public input on the following:

- Appropriate \$2,500,000 from Free Cash to Capital Stabilization Fund 8402.
- Appropriate \$200,000 from Free Cash to Compensated Absences Fund 8450.
- Appropriate \$200,000 from Free Cash to Contract Stabilization Fund 8403.
- Appropriate \$100,000 from Free Cash to General Stabilization Fund 8400.
- Appropriate \$600,000 from Free Cash to reduce the FY2023 tax rate.
- Transfer \$107,300 from Free Cash to FY23 General Fund Vehicle Fuel Accounts.

- Appropriate \$8,500 from Sewer Retained Earnings to FY23 Sewer Vehicle Fuel Accounts.
- Appropriate \$10,000 from Water Retained Earnings to FY23 Water Vehicle Fuel Accounts.
- Appropriate \$14,387 from FY22 Reserve Fund to FY23 Weights and Measures Contracted Services.

The City Council may consider the same on Wed., November 16, 2022, at 6:30 p.m. at John Zon Community Center, 35 Pleasant St., and Zoom: <https://greenfield-ma.gov.zoom.us/j/98386735754?pwd=VGFKSfK2OE5Ld0gxVTQyb0tWTytkdz09> Meeting ID 983 8673 5754. Materials can be obtained from the City Clerk's Office, 14 Court Sq. from 9:00 a.m.-4:00 p.m., Mon. - Fri. or phone 413-772-1555, x. 6163.

Sheila Gilmour, Greenfield City Council President

PUBLIC HEARING

The Greenfield City Council will hold a public hearing on Wednesday, November 16, 2022, at 6:30 pm, at John Zon Community Center, 35 Pleasant St., and via Zoom: <https://greenfield-ma.gov.zoom.us/j/98386735754?pwd=VGFKSfK2OE5Ld0gxVTQyb0tWTytkdz09> Meeting ID 983 8673 5754 to adopt a residential factor in accordance with the provisions of Massachusetts General Laws, Chapter 58, Section 1A, which shall be used by the Board of Assessors to determine the percentages of the local tax levy to be borne by each class of real and personal property.

The Assessors shall provide all information and data relevant to making such determination and the fiscal effect of the available alternatives.

The hearing is required under Section 56 of Chapter 40, Massachusetts General Laws.

Sheila Gilmour, Greenfield City Council President

The following members of the public spoke:

- Stephanie Duclos, Chapman Street, spoke to the increased amount requested for the Absences Fund. She also inquired as to specifically at what loss the City had on one industrial parcel and seven personal property parcels.

President Gilmour asked if anyone else would wish to speak at the public hearings. Seeing none, she closed the public hearings at 8:15 pm.

Councilor Forgey read the second reading:

City Council – Second Reading- November 16, 2022

- Appropriate \$2,500,000 from Free Cash to Capital Stabilization Fund 8402.
- Appropriate \$200,000 from Free Cash to Compensated Absences Fund 8450.
- Appropriate \$200,000 from Free Cash to Contract Stabilization Fund 8403.
- Appropriate \$100,000 from Free Cash to General Stabilization Fund 8400.
- Appropriate \$600,000 from Free Cash to reduce the FY2023 tax rate.
- Transfer \$107,300 from Free Cash to FY23 General Fund Vehicle Fuel Accounts.
- Appropriate \$8,500 from Sewer Retained Earnings to FY23 Sewer Vehicle Fuel Accounts.
- Appropriate \$10,000 from Water Retained Earnings to FY23 Water Vehicle Fuel Accounts.
- Appropriate \$14,387 from FY22 Reserve Fund to FY23 Weights and Measures Contracted Services.

President Gilmour called for a recess at 8:17 pm.

President Gilmour resumed meeting at 8:30 pm.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 23-049

MOTION: On a motion by Councilor Forgey, second by Councilor Guin, it was,

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, THE SUM OF \$600,000 BE APPROPRIATED FROM FREE CASH TO REDUCE THE FY 2023 TAX RATE.

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation. Rationale was provided for the amount requested in order to reduce the tax rate.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-049.

Order no. FY 23-075A

MOTION: On a motion by Councilor Forgey, second by Councilor Terounzo, it was,

MOVED: THAT IT BE ORDERED THE CITY COUNCIL ADOPT A MINIMUM RESIDENTIAL FACTOR OF 1(ONE), RESULTING IN AN EQUAL TAX RATE FOR ALL CLASSES OF PROPERTY FOR THE FISCAL YEAR 2023.

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-075A.

Order no. FY 23-075B

MOTION: On a motion by Councilor Forgey, second by Councilor Elmer, it was,

MOVED: THAT IT BE ORDERED THE CITY COUNCIL VOTES THAT NO RESIDENTIAL EXEMPTION BE ADOPTED FOR FISCAL YEAR 2023.

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-075B.

Order no. FY 23-075C

MOTION: On a motion by Councilor Forgey, second by Councilor Terounzo, it was,

MOVED: THAT IT BE ORDERED THE CITY COUNCIL VOTES THAT NO SMALL COMMERCIAL EXEMPTION BE ADOPTED FOR FISCAL YEAR 2023.

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-075C.

All Councilors present signed off on the tax rate classification.

Order no. FY 23-045

MOTION: On a motion by Councilor Forgey, second by Councilor Lapienski, it was,
MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, APPROPRIATE THE SUM OF \$2,500,000 FROM FREE CASH TO THE CAPITAL STABILIZATION FUND 8402.

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation. Councilor Desorgher read a prepared statement which expressed opposition to the amount requested for this appropriation and believed some of the funding could go to other accounts.

MOTION: On a motion by Councilor Desorgher, second by Councilor Bottomley, it was,
MOVED: TO AMEND THE AMOUNT OF APPROPRIATION BY \$300,000; THEREBY REDUCING THE AMOUNT FROM \$2,500,000 TO \$2,200,000.

DISCUSSION: Rationale was provided as to the specific reduction of \$300,000. Other comments included:

- It was noted that as a Council they could not direct the Mayor to place the funds into another suggested account.
- Suggestion was made to have joint meetings with the School Committee to have a better handle on how the School Committee was handling their funding from other resources and still need to ask the City for additional funds.
- It was noted that while it was correct the Council could not tell the Mayor which funds to place the monies in, the Council still had the authority to vote down any request the Mayor submitted if there was rationale to do so.
- Clarification on certain allocations for the schools and when they must be spent.
- Allocating monies for the schools maybe a premature venture until it became clearer as to how much money the schools received and will be receiving for FY2024.

MOTION: On a motion by Councilor Lapienski, second by Councilor Mayo, it was by majority, 2 yes, 9 no,
DEFEATED: TO CALL THE QUESTION.

Motion to amend Order No. FY23-045 was still on the floor.

DISCUSSION: Continued discussion in regards to urging the Mayor to allocate more funding into contract stabilization for teacher contracts and more information on how the schools were handling monies in their budget.

It was by roll call, 11 yes, 0 no,
VOTED: TO AMEND ORDER NO. FY 23-045.

Order No. FY 23-045 as amended, was now on the floor: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, APPROPRIATE THE SUM OF ~~\$2,500,000~~ **\$2,200,000** FROM FREE CASH TO THE CAPITAL STABILIZATION FUND 8402.

It was unanimously,
VOTED: TO APPROVE ORDER NO. FY 23-045, AS AMENDED.

Order no. FY 23-046

MOTION: On a motion by Councilor Forgey, second by Councilor Desorgher, it was,

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, APPROPRIATE THE SUM OF \$200,000 FROM FREE CASH TO THE COMPENSATED ABSENCES FUND 8450.

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a majority recommendation, 3 yes, 2 no. Rationale provided for the significant increase to the request for funds as compared to previous years. Further information was given as to the need of the funds for individual departments.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-046.

Councilor Mayo left the rail at 9:35 pm.

Councilor Lapienski left the rail at 9:37 pm.

Councilor Lapienski returned to the rail at 9:39 pm.

Order no. FY 23-047

MOTION: On a motion by Councilor Forgey, second by Councilor Guin, it was,

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, APPROPRIATE THE SUM OF \$200,000 FROM FREE CASH TO THE CONTRACT STABILIZATION FUND 8403.

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-047.

Order no. FY 23-048

MOTION: On a motion by Councilor Forgey, second by Councilor Elmer, it was,

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, APPROPRIATE THE SUM OF \$100,000 FROM FREE CASH TO THE GENERAL STABILIZATION FUND 8400.

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation. It was noted this order was moot due to the fact that it would have been a designated amount to pay for a police audit which was defeated by the Council.

It was unanimously,

DEFEATED: TO APPROVE ORDER NO. FY 23-048.

Order no. FY 23-050

MOTION: On a motion by Councilor Forgey, second by Councilor Guin, it was,

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAW, THE SUM OF \$107,300 BE TRANSFERRED FROM FREE CASH TO THE FY23 GENERAL FUND VEHICLE FUEL ACCOUNTS AS FOLLOWS:

01002100.5482	POLICE NO LEAD GAS	\$12,300
01002200.5482	FIRE FUEL	\$24,000
01004290.5482	DPW SERVICE GAS	\$20,000
01004290.5483	DPW SERVICE DIESEL	\$ 5,000

01004330.5482	DPW SOLID WASTE GAS	\$ 1,000
01004330.5482	DPW SOLID WASTE DIESEL	\$40,000
01001920.5482	CENTRAL MAINT GAS	\$ 5,000
	TOTAL:	\$107,300

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation.

MOTION: On a motion by Councilor Lapienski, no second, it was,
FAILED FOR LACK OF SECOND: TO AMEND THE ORDER BY DECREASING THE AMOUNT BY \$12,300; REDUCING THE AMOUNT FROM \$107,300 TO \$95,000.

Order No. FY23-050, as originally read, was still on the floor.

It was unanimously,
VOTED: TO APPROVE ORDER NO. FY 23-050.

Order no. FY 23-051

MOTION: On a motion by Councilor Forgey, second by Councilor Guin, it was,
MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAW, THE SUM OF \$8,500 BE APPROPRIATED FROM SEWER RETAINED EARNINGS TO THE FOLLOWING FY23 SEWER FUEL ACCOUNTS FY23:

60004290.5482	SEWER GAS	\$2,500
60004290.5483	SEWER DIESEL	\$6,000
	TOTAL:	\$8,500

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation.

It was unanimously,
VOTED: TO APPROVE ORDER NO. FY 23-051.

Order no. FY 23-052

MOTION: On a motion by Councilor Forgey, second by Councilor Terounzo, it was,
MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAW, THE SUM OF \$10,000 BE APPROPRIATED FROM WATER RETAINED EARNINGS TO THE FOLLOWING FY23 WATER VEHICLE FUEL ACCOUNTS:

61004290.5482	WATER GAS	\$5,000
61004290.5483	WATER DIESEL	\$5,000
	TOTAL:	\$10,000

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation.

It was unanimously,
VOTED: TO APPROVE ORDER NO. FY 23-052.

Order no. FY 23-053

MOTION: On a motion by Councilor Forgey, second by Councilor Desorgher, it was,

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THE SUM OF \$14,387 BE TRANSFERRED FROM THE FY22 01001320.5781 RESERVE FUND TO FY23 WEIGHTS AND MEASURES CONTRACTED SERVICES ACCOUNT 01002440.5200

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-053.

President Gilmour called for a 5 minute recess at 10:09 pm.

President Gilmour resumed meeting at 10:18 pm.

Order no. FY 23-073

MOTION: On a motion by Councilor Forgey, second by Councilor Desorgher, it was,

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, VOTE TO RESCIND THE FOLLOWING BORROWING AUTHORIZATION BY \$500,000. REVISED AUTHORIZATION \$18,541,296

PURPOSE	DATE OF VOTE	ART #	AMT AUTH
NEW LIBRARY	03/20/19	19-050	19,541,296
	VOTED 10/19/22	REDUCE	-500,000
	PENDING	REDUCE	-500,000

REVISED AUTHORIZATION: 18,541,296

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-073.

Order no. FY 23-066

MOTION: On a motion by Councilor Golub, second by Councilor Lapienski, it was unanimously,

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL APPROVES THE ATTACHED RESOLUTION TITLED “A RESOLUTION TO URGE THE MASSACHUSETTS GENERAL COURT TO PASS H. 3053, AN ACT RELATIVE TO TAX DEEDS, AS FILED IN THE 192ND SESSION.

Greenfield City Council/Home Equity/Tax Title Taking Reform

Resolution & Background

Resolution:

Order no. FY 23-____

MOTION: On a motion by Councilor _____, second by Councilor_____, it was VOTED:

That the Greenfield City Council resolves to urge the Massachusetts General Court to Pass H. 3053, An Act Relative to Tax Deeds, as filed in the 192nd Session.

The Act amends Section 53 of Chapter 60 so that upon issuance of an order on the taking of title and an order of public sale of a foreclosed property, the land court shall also order a public sale of the foreclosed property and order distribution of proceeds consistent with the provisions of M.G.L. Chapter 183 §. 21, §. 24-27 inclusive, treating the tax title holder like a mortgagee with the first priority interest in proceeds from the property, and treating the delinquent debtor as a mortgagor.

Background:

This is recommendation 10 presented by Mitch Speight, Joan Marie Jackson, and Al Norman, who ask that the Mayor and Council ask Greenfield's state legislative delegation to pass H. 3053 abolishing home equity collection beyond debt.

Definitions:

Mortgagee= the bank or lender. In this context the city—the tax title holder—would be treated as the mortgagee.

Mortgagor= the borrower, in this case, the homeowner.

Text of H. 3053:

Bill H. 3053: An Act relative to tax deeds.

(Emphasis added in **boldface** to bring attention to the language in the resolution.)

SECTION 1. Section 53 of Chapter 60 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking the first paragraph in its entirety and replacing it with the following new paragraph:

“If a tax on land is not paid 14 days after demand therefore and remains unpaid, the collector shall request a hearing in the land court seeking authorization to exercise the power of taking.

The collector must give 14 days notice of his intention to exercise such power of taking and of the hearing in the land court, which notice shall be served in the manner required by law for the service of subpoenas on witnesses in civil cases and shall be published and shall conform to the requirements of section 40.

He shall also, 14 days prior to the hearing, post a notice so conforming at the property proposed for taking, in a newspaper of general circulation and in two or more convenient and public places where the property is located and the last known address of the owner.

At the hearing, the court shall make inquiry into the nature of the debt owed and whether there is sufficient evidence to demonstrate that the city or town has not received payment from the debtor.

The court shall also make inquiry and findings relative to the sufficiency of notice provided by the collector. The land court may authorize the taking only after issuing its findings in writing.

Upon issuance of an order on the taking, the land court shall also order a public sale of the foreclosed property and order distribution of proceeds consistent with the provisions of M.G.L. 183 §. 21, §. 24-27 inclusive, treating the tax title holder like a mortgagee with the first priority interest in proceeds from the property, and treating the delinquent debtor as a mortgagor.”

SECTION 2. Section 53 of chapter 60 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting after the word “forty” in line 7, the following new words:

“and must include a clear statement in bold print that ‘Failure to act will result in losing ownership of your property.’”

SECTION 3. Section 53 of chapter 60 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting after the word “thereto” in line 18, the following new sentence:

“Upon fulfillment of the tax debt through the collection of rents or other income from the land, the tax collector shall file a document reflecting that the property was redeemed through the collection of rents or other income from the land, and shall withdraw possession of the property.”

SECTION 4. Section 64 of chapter 60 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting after the word “foreclosure” in the title of the subsection, the new words: “and sale”

SECTION 5. Section 64 of chapter 60 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking the following words in line 2 “be absolute after” and replacing them with the following new words:

“convey a right to collect rents from the property until the debt is paid or to obtain payment, with first priority over all other liens from the proceeds of a judicial sale, upon”

SECTION 6. Section 64 of chapter 60 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting the following new paragraph:

“If deemed appropriate and just by the land court, it may order seizure of rents or other income from the property if doing so would fully satisfy property tax liens and applicable interest and costs. **Upon issuance of a judgment foreclosing the right of redemption, the land court shall also order a public sale of the foreclosed property and order distribution of proceeds consistent with the provisions of M.G.L. 183 §. 21, §. 24-27 inclusive, treating the tax title holder like a mortgagee with the first priority interest in proceeds from the property, and treating the delinquent debtor as a mortgagor.**”

SECTION 7. Section 66 of chapter 60 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting after the word “shall” in line 12, the new words:

“include language expressing the amount necessary to redeem the property and the consequences of failing to pay,”

SECTION 8. Section 66 of chapter 60 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking all words after the word “fixed” in line 17 and replacing them with the new following words:

“that failure to act will result in losing ownership of your property and a public sale of your property. If applicable, this could also result in eviction.”

SECTION 9. Section 69A of chapter 60 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting after the word “date” in line 7, the new sentence:

“Except in the interest of justice, no petition to vacate a decree of foreclosure entered under section sixty-nine and no proceeding at law or in equity for reversing or modifying such a decree shall be commenced after the date of the judicial sale and distribution of proceeds required under section sixty-four.”

Massachusetts General Law, Chapter 183. Section 27.

(This text describes how proceeds of the sale would be handled.)

Chapter 183, Section 27: Disposition of proceeds of foreclosure sale; itemized accounting provided to mortgagor.

Section 27. The holder of a mortgage [bank] of real estate, or his representatives, out of the money arising from a sale under the power of sale shall be entitled to retain all sums then secured by the mortgage, whether then or thereafter payable, including all costs, charges or expenses incurred or sustained by him or them by reason of any default in the performance or observance of the condition of the mortgage or of any prior mortgage, rendering the surplus, if any, to the mortgagor [homeowner] or his heirs, successors or assigns, unless otherwise stated in the mortgage. No person other than the holder of the mortgage shall be bound to see to the application of the money arising from such sale.

The holder of a mortgage of real estate [bank], or the holder's representatives, shall provide to the mortgagor [homeowner] or the mortgagor's heirs, successors or assigns a written notice containing an itemized accounting of the disposition of the proceeds arising from a sale under the power of sale including, but not limited to, the sale price, legal fees, auctioneer fees, publication costs and other fees, and any surplus due to the mortgagor, within 60 days after the receipt of such funds provided, that if such sale is subject to further legal proceedings, such accounting shall be stayed until the conclusion of such proceedings.

Vice President Guin requested, without objection, to forward the following Orders to the December agenda: FY23-044; FY23-069; FY23-070 and FY23-071. He explained that due to issues in the Clerk's office the Appointments & Ordinances Committee meeting was cancelled for November. Therefore, these orders could not be addressed before forwarding them to the full Council.

Order no. FY 23-072

MOTION: On a motion by Councilor Guin, second by Councilor Elmer, it was,

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL, PURSUANT TO CHARTER SECTION 2-10, AFFIRMS THE FOLLOWING APPOINTMENTS AND RE-APPOINTMENTS BY THE MAYOR AS FOLLOWS:

Appointments:

- Commission on Disability Access - Lynne Kelley (moving from full member to alternate), Term Expires December 31, 2025
- Human Rights Commission - Grady VerPlanck, Term Expires December 31, 2024
- Mayor's Task Force Against Domestic Violence - Katie Rosewarne (representative of Franklin County District Attorney's Office designated by the FC district attorney, two-year term, per charter), Term Expires December 31, 2024

Reappointments:

- Board of License Commissioners - Alan Ball, Term Expires December 31, 2025
- Cemetery Commission - Jeffrey Hampton, Term Expires December 31, 2025
- Conservation Commission - Christin McDonough and Erika LaForme, Term Expires December 31, 2025
- Constables - Peter Clark and Joseph LaChance, Term Expires December 31, 2025
- Council on Aging - Randie Handleman, Janice Colbert and Margot Peck, Term Expires December 31, 2025
- Franklin County Tech School Committee - Paul Doran, Term Expires December 31, 2025
- Historical Commission - Robert Moorhead, Term Expires December 31, 2025
- Mayor's Task Force Against Domestic Violence - Ilana Gerjuoy, Term Expires December 31, 2025
- Parking & Traffic Commission Sebastian Gutwein and Jean Wall, Term Expires December 31, 2025

- Planning & Construction - Nancy Hazard, Term Expires December 31, 2025
- Public Library Board of Trustees - Doris Cowdrey and Samantha Wood, Term Expires December 31, 2025
- Recreation Commission - Heather Valenta (Alternate) and Barb Zaccheo, Term Expires December 31, 2025
- Retirement Board - Marianne Fiske, Term Expires December 31, 2025
- Sustainable Greenfield Implementation Committee - Hannah Rechtschaffen and Jonah Keane, Term Expires December 31, 2025

DISCUSSION: Vice President Guin reported that since the A & O Committee didn't meet for November there was no recommendation to forward; however, he noted that he received no inquiries from any Councilors regarding these appointments and re-appointments.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-072.

PRESENTATION OF PETITIONS AND SIMILAR PAPERS None.

REPORTS OF COMMITTEES None

TREASURER REPORT None

UNFINISHED BUSINESS: None.

OLD BUSINESS: None.

NEW BUSINESS: Councilor Forgey held the following first reading:

City Council – First Reading- November 16, 2022

- Repurpose \$67,060.51 from School Department Capital Accounts for School Phone System.
- Appropriate \$100,000 from Free Cash to Contract Stabilization Fund 8403.

MOTIONS FOR RECONSIDERATION: None.

ADJOURNMENT: On a motion by Councilor Guin, second by Councilor Forgey, it was unanimously **VOTED:** TO ADJOURN THE MEETING AT 10:30 P.M.

A true copy,

Attest: _____
Kathryn J. Scott, City Clerk

GREENFIELD CITY COUNCIL MEMBERS

John Zon Community Center/Zoom Hybrid
Regular Meeting
November 16, 2022

	Attendance	Waive ROP Suspend Rules	FY23-045 Amendment			
14. Golub, Katherine	Y	Y	Y			
15. Guin, Daniel	Y	N	Y			
16. Desorgher, Virginia	Y	Y	Y			
17. Bottomley, John	Y	Y	Y			
18. Bullock, Marianne	Y	Y	Y			
19. Gilmour, Sheila	Y	----	----			
20. Lapienski, Jasper	Y	Y	Y			
21. Mayo, Douglas	Y	Y	Y			
22. Helie, Derek	Y	N	Y			
23. Elmer, Philip	Y	Y	Y			
24. Forgey, Christine	Y	N	Y			
25. Ricketts, Penny	Y	N	----			
26. Terounzo, Michael	Y	N	Y			

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Statement as read by Councilor Desorgher at the November 16, 2022 City Council meeting:

Something about last night's ways and means meeting didn't set right with me.

We have \$4 million in free cash, the largest figure we've ever had certified by the state. It needs to be allocated into different funds.

We heard an impassioned plea from Director Gilman. She talked about the need for keeping up with deferred maintenance and infrastructure. It sounded as if we had been ignoring this. That just did not ring true.

This council has done a fabulous job of voting for needed deferred maintenance and infrastructure.

Think about it. The new fire station and every rusting truck and unsafe vehicle has been approved by us along with every water/sewer project and sidewalk request. The ONLY thing we didn't vote money for was paving a parking lot we didn't own.

Think about what was said last night at our ways and means meeting.

Then think about what was not said.

No one has said a word about taking care of the employees. Those buildings are only as good as the fabulous staff we have inside of them. Those projects will only get done if we have in-house staff to do them.

I'm not sure how many teachers we have lost to other school systems that pay more. I am not sure how many positions in DPW remain unfilled because their pay is too low.

I am sure our largest unions are either in the midst of negotiations or about to start them. I AM SURE food costs are up 12 % this year and that it will be 28% more expensive to heat our homes this year.

I hope you will join me in voting a \$300,000 in capital stabilization with the ask that the Mayor send us a new order for that money to go into contractual stabilization so that we can pay our beloved employees a fair wage.

I move to reduce the allocation to capital stabilization to \$2,200,000

PUBLIC HEARING

In accordance with Home Rule Charter, the Greenfield City Council will hold a public hearing on Wed., December 21, 2022, at 6:30 p.m. at John Zon Community Center, 35 Pleasant St., and Zoom:

<https://greenfield-ma-gov.zoom.us/j/93363347411?pwd=RUEvMFdKYkw4UUJuVXZnc1ExbW92Zz09> Meeting ID 933 6334 7411 to receive public input on the following:

- Repurpose \$67,060.51 from School Department Capital Accounts for School Phone System.
- Appropriate \$100,000 from Free Cash to Contract Stabilization Fund 8403.

The City Council may consider the same on Wed., December 21, 2022, at 6:30 p.m. at John Zon Community Center, 35 Pleasant St., and Zoom: <https://greenfield-ma-gov.zoom.us/j/93363347411?pwd=RUEvMFdKYkw4UUJuVXZnc1ExbW92Zz09> Meeting ID 933 6334 7411. Materials can be obtained from the City Clerk's Office, 14 Court Sq. from 9:00 a.m.-4:00 p.m., Mon. - Fri. or phone 413-772-1555, x. 6163.

Sheila Gilmour, Greenfield City Council President

City Council – Second Reading- December 21, 2022

- Repurpose \$67,060.51 from School Department Capital Accounts for School Phone System.
- Appropriate \$100,000 from Free Cash to Contract Stabilization Fund 8403.

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____ :

Second by Councilor _____ :

The City Council,

Moved that it be ordered,

IN ACCORDANCE WITH CHARTER SECTION 3-7: APPROVAL OF THE MAYOR; EXCEPTION (VETO), ORDER NUMBER FY 23-045 VETOED BY THE MAYOR ON NOVEMBER 21, 2022: “APPROPRIATE THE SUM OF \$2,200,000 FROM FREE CASH TO THE CAPITAL STABILIZATION FUND 8402” PREVIOUSLY VOTED ON BY THE CITY COUNCIL ON NOVEMBER 16, 2022, IS HEREBY APPROVED.

2/3 Votes Required (9)

VOTE:

Explanation of supporting rationale:

A YES vote from the Council would ORDERRIDE the Mayor’s veto.

A NO vote from the Council would UPHOLD the Mayor’s veto.



City of
GREENFIELD, MASSACHUSETTS

OFFICE of the CITY COUNCIL

President Sheila Gilmour
Vice President Daniel Guin
Treasurer Virginia Desorgher

City Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1555 • Fax 413-772-1542
www.greenfield-ma.gov

At Large Philip Elmer
At Large Christine Forgey
At Large Penny Ricketts
At Large Michael Terounzo

Precinct 1 Katherine Golub
Precinct 2 Daniel Guin
Precinct 3 Virginia Desorgher
Precinct 4 John Borromley
Precinct 5 Marianne Bullock
Precinct 6 Sheila Gilmour
Precinct 7 Jasper Lapienski
Precinct 8 Douglas Mayo
Precinct 9 Derek Helie

GREENFIELD, MASS
NOV 22 PM 3:05
CITY CLERK

City of GREENFIELD
MASSACHUSETTS

Order no. FY 23-045

On November 16, 2022, the Greenfield City Council unanimously,
VOTED: THAT IT BE ORDERED, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, THE GREENFIELD CITY COUNCIL APPROPRIATE THE SUM OF \$2,500,000 **\$2,200,000** FROM FREE CASH TO THE CAPITAL STABILIZATION FUND 8402, AS AMENDED.

Pursuant to Section 3-7 of the City of Greenfield Home Rule Charter, I hereby approve of the passage of the above order.

Approved: _____ **Date:** _____
Roxann Wedegartner, Mayor

Pursuant to Section 3-7 of the City of Greenfield Home Rule Charter, I hereby disapprove of the passage of the above order.

Disapproved: _____ **Date:** 11.21.2022
Roxann Wedegartner, Mayor

Pursuant to Section 3-7 of the City of Greenfield Home Rule Charter, I hereby take no action of the passage of the above order.

Take no action: _____ **Date:** _____
Roxann Wedegartner, Mayor

Presented to the Mayor for action on: November 18, 2022
10 day deadline for Mayoral action: November 28, 2022
Received by the Mayor on: November 18, 2022 *AS*

File, 2023, Mayor, Votes to Mayor. 045 Appropriate \$2,200,000 from Free Cash to Capital Stabilization

*The City of Greenfield is an Affirmative Action/Equal Opportunity Employer,
a designated Green Community and a recipient of the "Leading by Example" Award*



City of
GREENFIELD, MASSACHUSETTS

OFFICE OF THE MAYOR
ROXANN WEDEGARTNER
Mayor

Town Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1560 • Fax 413-772-1519
Mayor@greenfield-ma.gov • www.greenfield-ma.gov

MEMO

TO: Sheila Gilmour, Council President; Dan Guin, Council Vice-President

FROM: Mayor Wedegartner

CC: Tammy Marciel, Clerk to Council; Kathy Scott, City Clerk; Liz Gilman, Finance Director (Ret), Diana Schindler, Finance Director

DATE: November 22, 2022

RE: Veto of Order no. FY23-045

I am vetoing Financial Order No. FY23-045 for this reason:

- A reduction of \$300,000 from the original request of \$2,500,000 from Free Cash to Capital Stabilization is ill-advised and short-sighted. We have an opportunity with this year's larger-than-usual Free Cash appropriation to significantly add to the Capital Stabilization Fund at a time when we have significant capital needs across the city and will continue to have them in the coming fiscal years. As you know, being able to access the Capital Stabilization Fund for several of the capital expenditures means that we do not have to borrow to cover those costs.
- While this number could be reduced by the time the FY24 Capital Budget reaches the Council, the current total request in the Capital Budget for FY24 is \$10,132,970. The funding sources for those expenditures are: Ambulance Fund, Borrowing(Bond), Capital Stabilization, Building Stabilization, Bond Premium, FEMA, Grant, Lease, Stabilization, and Retained Earnings.

I hope you will rethink this reduction in funding this important tool in our Capital Budgeting tool

belt.

Thank you,

Mayor Roxann Wedegartner



NOV 22 PM 3:05
CITY CLERK
THE
GREENFIELD, MASS

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____ :
Second by Councilor _____ :

The City Council,

Upon recommendation of Mayor Wedegartner

To Rescind Anaerobic Digester Authority

Ordered, that:

Upon recommendation of the Mayor, vote to rescind the following borrowing authorization by \$3,585,000.

PURPOSE	DATE OF VOTE	ART #	AMT AUTH
Anaerobic Digester	05/22/19	19-104	4,100,000
		Paydown	-500,000
		Paydown	-15,000

Recission: 3,585,000

Majority vote required

VOTE:

Rationale:

Bond Counsel directs that the Anaerobic Digester authorization be rescinded and a new financial order be done for the Dewatering Press.

Attachment: Memo, Liz Gilman



City of
GREENFIELD, MASSACHUSETTS



FINANCE DEPARTMENT

Liz Gilman

Director of Municipal Finance

City Hall • 14 Court Square • Greenfield, MA 01301

Phone 413-772-1504 • Fax 413-772-1519

liz.gilman@greenfield-ma.gov • www.greenfield-ma.gov

Date: November 22, 2022

To: City Council

Cc: Mayor Wedegartner

Re: Rescind Digester and Authorize Dewatering Project

If City Council feels they have seen this before – you have.

Bond Counsel gives the final “stamp of approval” for borrowing authorizations and repurposing. In reviewing the repurposing of the anaerobic digester to the dewatering project, Bond Counsel insisted this be done as two separate financial orders.


Attached are two financial orders:

1. One to rescind the borrowing authorization for the Anaerobic Digester for \$3,585,000
2. One to authorize the borrowing for the Dewatering Project for \$3,585,000

The reason Bond Counsel will not approve the repurposing is because the \$3,585,000 had not been borrowed yet.

This is critical funding to address the sludge disposal costs in the sewer enterprise fund. The debt service is budgeted and paid by the sewer enterprise fund.

Thank you!



*The City of Greenfield is an Affirmative Action/Equal Opportunity Employer,
a designated Green Community and a recipient of the “Leading by Example” Award*

Financial Order

**CITY of GREENFIELD
MASSACHUSETTS**

Councilor _____ :
Second by Councilor _____ :

The City Council,

Upon recommendation of Mayor Wedegartner and in accordance with
Massachusetts General Laws,

An Order to:

Repurpose \$67,060.51 for School Phone System

Moved that it be ordered,

That the Greenfield City Council approves repurposing in the amount \$67,060.51 of
previously authorized School Department Capital accounts listed below to fund a
telephone system upgrade and replacement.

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
40173980.5825	SchBathroo	20,953.00
40173980.5826	SchDoors	7,295.50
40183980.5841	ElemFence	22,996.00
40183980.5820	ElemFloor	597.60
40183980.5840	NewtonStai	4.48
40233980.5858	Desktops	1.06
40193980.5840	AuditLight	15,212.87
	<u>Total</u>	<u>67,060.51</u>

Majority Vote Required (7).

Attachments

Attachments: GPS Superintendent's Memo
Kari's Law and Quotes
Munis Report



GREENFIELD PUBLIC SCHOOLS

195 Federal Street, Suite 100, Greenfield, MA 01301

"Every Child's Success is Our Mission"

Ph: 413-772-1326 / Fax: 413-772-1379

Christine DeBarge Ed. D, Superintendent of Schools

To: City Council
From: Christine DeBarge, Ed.D, Superintendent
Re: Capital Requests
Date: October 24, 2022

Dear Councilors,

Please find listed on the financial order a summary of the capital allocations for the Greenfield Public Schools from FY17 through FY23. We have identified that some capital projects approved in prior years that have been completed but some funds remain. We are requesting that the City Council Repurpose available funds as identified below and vote to reallocate the total of \$67,060.51 to be used towards the required telephone upgrade/replacement project. Quotes are attached for the telephone project.

This upgrade/replacement is required to comply with Kari's Law and the Ray Baum's Act.

The Greenfield Public Schools is committed to maintaining a discrimination-free environment for all students, families, and employees. Greenfield Public Schools is an Equal Opportunity Employer.

KARI'S LAW

Kari's Law amends the original Telecommunications Act of 1934 as well as its 1996 overhaul. The law and FCC rules to enact both Kari's Law and the RAY BAUM'S Act mandate that Enhanced 911 (E911) accessibility and notification be part of every aspect of a telephone system. Kari's Law ensures that every person can easily call for help and be more easily located by emergency services.

Kari's Law was created after Kari Hunt was stabbed 21 times by her estranged husband on December 1, 2013, in a Texas motel bathroom while her three children were on the other side of the door. Her daughter tried four times unsuccessfully to dial 911, unaware that the hotel telephone system required dialing an additional access digit, "9," to reach an outside line.

After public outcries over Hunt's death, and the tireless efforts of Hunt's father, Congress took action and enacted Kari's Law in 2018. Soon after, the FCC began its notice of the proposed rulemaking process.

Manufacturers and vendors of MLTSs must pre-configure systems to support direct dialing of 911 without having to dial any prefix or access code. MLTS installers, managers, and operators not only must ensure that the system supports 911 direct dialing, but must also convey notification that a 911 call has been made.

When a 911 call is placed on an MLTS, the system must be configured to notify a central location on-site or off-site where someone is likely to see or hear the notification. Examples of notification include conspicuous on-screen messages with audible alarms for security desk computers using a client application, text messages for smartphones, and email for administrators. Notification shall include, at a minimum, the following information:

- The fact that a 911 call has been made
- A valid callback number
- The information about the caller's location that the MLTS conveys to the PSAP with the caller to 911; provided, however, that the notification does not have to include a callback number or location information if it is technically infeasible to provide this information. (47 CFR § 9.3.)

[Kari's Law Act of 2017](#)

RAY BAUM'S ACT

Named in honor of Ray Baum, the RAY BAUM'S Act is also an acronym that stands for Repack Airwaves Yielding Better Access for Users of Modern Services. While the Act in its entirety includes many different communications-related initiatives, Section 506 of the Act is particularly focused on 911 emergency services for enterprises. The FCC recently adopted regulations aimed at ensuring that the advanced communications tools used in an enterprise environment continue to support critical end users' emergency response needs when and where they are necessary. Signed into law in 2018, RAY BAUM'S Act emphasizes the importance of sharing precise location information when calling 911, which is invaluable to first responders in locating callers and can dramatically increase the potential for better emergency outcomes.

Section 506 of the RAY BAUM'S Act requires that the FCC consider adopting rules to ensure "dispatchable location" information is conveyed with 911 calls, regardless of the technology used, so that PSAPs will receive the caller's location automatically and can dispatch responders quickly and accurately locate the caller. Dispatchable location information includes the street address of the caller and additional information, such as a room or floor number, or similar information necessary to adequately identify the location of the calling party as quickly as possible.



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Celebrating 70 Years

413.592.4136
20 1st Avenue
Chicopee, MA 01020

QUOTE

Quote Date: 8/11/2022
Valid Thru: 11/9/2022

Customer Name: **Academy of Early Learning**
Address Line 1: 1 Place Terrace
City/State/Zip: Greenfield, MA.
Contact Name: Eric Hevy
Contact Number: 413-772-1333
Contact Email: erihvy1@opsk12.org

SCOPE

Proposal for an NEC SV9100 Telephone System to be installed at Academy of Early Learning location, configured as follows:

- Support up to 4 CO Ports
- Support 8 SIP Trunks plus one for IP Intercom
- Support up to 32 Digital Sets (27 used)
- Includes 16 Hours for cable work
- Support InMail Voice Mail with 40 mailboxes
- Includes cage for Gym phone
- Set up for Ray Baum Act

This quote also includes:

- Full 1st Year Parts and Labor Warranty coverage.
- Full 5 Year Parts Warranty on starred items
- Provide 5 Year SWA
- Database gathering, installation & programming and training.

QTY	Part Number	Unit Name	Unit	Total
4	390185	ETHERNET CABLE - BLACK 7'	8.00	\$32.00
4	A20-030439-001	INSTALLATION CABLE	90.00	\$360.00
1	BE106405	CHS2U RACK MOUNT KIT	33.00	\$33.00
2	* BE113020	GCD-16DLCA	358.95	\$713.90
21	BE114042	Resource License-01	8.00	\$168.00
8	BE114065	SIP Trunk License-01 in package (8)	0.00	\$0.00
3	BE114065	SIP Trunk License-01	36.30	\$108.90
132	BE115105	SWA PSA SV9100 UNIT	7.80	\$1,029.60
1	BE115923	AC-Z UNIT	29.70	\$29.70
14	* BE118998	DTK-12D-1(BK) TEL	173.80	\$2,433.20
1	BE119003	DCK-8D-1 (BK)	151.25	\$151.25
1	* BE119190	GCD-4COTB-A	139.70	\$139.70
28	BE119591	SV91 PRODUCTIVITY USER-LIC 01	25.85	\$723.80
12	BE120503	DTK-8DE-1(BK)TEL	140.25	\$1,683.00
1	Q24-DN00000105299	FIVE YEAR PARTS WARRANTY	872.00	\$672.00
1	Q24-FR000000138397	DESI ITK 12D	15.12	\$15.12
1	* Q24-FR000000138723	SV9100E CP20 PRODUCTIVITY PKG	2270.95	\$2,270.95
2	443536950	Simpson Strongtie wall bracket	1.75	\$3.50
1	BE6500	APC BE6500 UPS	99.60	\$99.60
1	B110DX1-100RFT	110 BLOCK 100 PAIR	61.59	\$61.59
10	CAT84AB	ERICO 4IN J HOOK (10)	6.12	\$61.20
540	7023724	2 pair, crosswire (1000)	0.86	\$43.20
10	PL77LH-L	7" nylon	0.36	\$3.60
1		ADMINISTRATIVE TRAINING		\$0.00
1		Ray Baum Act Programming		\$0.00
1	G2374	Guard Wire Cage	77.43	\$77.43
1		Cable Work	300.00	\$300.00
27		REUSE OF STATION CABLE =		\$0.00
				\$0.00

Project Summary

State	Equipment	\$11,184.84
MA	Professional Services - Standard Labor Rates	\$6,600.00
	Professional Services - Prevailing Wage Labor Rates	\$2,860.00
	Shipping	\$450.00
	MA State Contract ITT72 Pricing	\$21,094.84



413.592.4136
20 1st Avenue
Chicopee, MA 01020

QUOTE

Quote Date: 8/11/2022
Valid Thru: 11/9/2022

Customer Name: **Federal Street Elementary School**
Address Line 1: 125 Federal Street
City/State/Zip: Greenfield, MA.
Contact Name: Eric Hovy
Contact Number: 413-772-1333
Contact Email: erihov1@opsk12.org

SCOPE

Proposal for an NEC SV9100 Telephone System to be installed at Federal Street Elementary School location, configured as follows:

- Support up to 4 CO Ports
- Support 8 SIP Trunks plus one for IP Intercom
- Support up to 48 Digital Sets (45 used)
- Includes 40 Hours for cable work
- Support InMail Voice Mail with 50 mailboxes
- Includes Gai Tronics box for Gym phone
- Set up for Ray Baum Act

This quote also includes:

- Full 1st Year Parts and Labor Warranty coverage.
- Full 5 Year Parts Warranty on starred items
- Provide 5 Year SWA
- Database gathering, installation & programming and training.

QTY	Part Number	Unit Name	Unit	Total
4	39D165	ETHERNET CABLE - BLACK 7'	8.00	\$32.00
4	A20-030439-001	INSTALLATION CABLE	80.00	\$360.00
1	BE106405	CHS2U RACK MOUNT KIT	33.00	\$33.00
3	* BE113020	GCD-16DLCA	358.95	\$1,070.85
37	BE114042	Resource License-01	6.50	\$244.20
6	BE114065	SIP Trunk License-01 in package (6)	0.00	\$0.00
3	BE114065	SIP Trunk License-01	35.30	\$108.90
132	BE115105	SWA PSA SV9100 UNIT	7.80	\$1,029.60
2	BE115923	AC-Z UNIT	29.70	\$59.40
18	* BE116996	DTK-12D-1(BK) TEL	173.80	\$3,128.40
2	BE116003	DCK-60-1 (BK)	151.25	\$302.50
1	* BE119190	GCD-4COTB-A	139.70	\$139.70
38	BE116591	SV91 PRODUCTIVITY USER-LIC 01	25.85	\$982.30
25	BE120603	DTK-6DE-1(BK)TEL	140.25	\$3,506.25
1	Q24-CN30000106299	FIVE YEAR PARTS WARRANTY	947.15	\$947.15
2	Q24-FR00000136387	DESI ITK 120	15.12	\$30.24
1	* Q24-FR00000138723	SV9100E CP20 PRODUCTIVITY PKG	2270.85	\$2,270.85
2	449530360	Simpson Strongtie wall bracket	1.75	\$3.50
1	BE850G	APC BE850G UPS	99.80	\$99.80
1	S110DX1-100RFT	110 BLOCK 100 PAIR	61.59	\$61.59
10	CAT84AB	ERICO,4IN J HOOK (10)	9.12	\$91.20
900	7023724	2 pair, crosswire (1000)	0.66	\$72.00
10	PL17LH-L	7" nylon	0.36	\$3.60
1		ADMINISTRATIVE TRAINING		\$0.00
1		Ray Baum Act Programming		\$0.00
1		GaiTronics Box	281.25	\$281.25
1		Cable Work	600.00	\$600.00
45		REUSE OF STATION CABLE =		\$0.00
				\$0.00

Project Summary

State	Equipment	\$15,328.18
MA	Professional Services - Standard Labor Rates	\$8,800.00
	Professional Services - Prevailing Wage Labor Rates	\$6,160.00
	Shipping	\$450.00
	MA State Contract ITT72 Pricing	\$30,738.18



413.592.4136

20 1st Avenue
Chicopee, MA 01020

QUOTE

Quote Date: 7/1/2022
Valid Thru: 9/29/2022

Customer Name: **Greenfield Four Corners School**
Address Line 1: 21 Ferrante Ave
City/State/Zip: Greenfield, MA, 01301
Contact Name: Carol Holzberg
Contact Number: 413-772-1322
Contact Email: carhol1@gpsk12.org

SCOPE

Proposal for an NEC SV9100 CP20 Telephone System Migration, to be installed at Greenfield Four Corners School location, configured as follows:

- Support up to 4 CO Ports
- Support 4 SIP Trunks
- Support up to 40 Digital Sets
- Support InMail Voice Mail with 35 mailboxes
- Support Ray Baum Act

This quote also includes:

- Full 1st Year Parts and Labor Warranty coverage.
- Full 5 Year Parts Warranty on starred items
- Provide 5 Year SWA
- Database gathering, installation & programming and training.

QTY	Part Number	Unit Name	Unit	Total
24	BE114042	Resource License-01	0.00	\$158.40
1	BE114053	SV9100 HW MIGRATION LIC	909.70	\$909.70
6	BE114065	SIP Trunk License-01 in package (6)	0.00	\$0.00
132	BE115105	SWA PSA SV9100 UNIT	7.80	\$1,029.60
23	BE115091	SV91 PRODUCTIVITY USER-LIC 01	25.85	\$594.55
1	Q24-DN30000106299	FIVE YEAR PARTS WARRANTY	200.55	\$200.55
1	* Q24-FR000000138730	SV9100E CP20 MIGRATION KIT B	2206.05	\$2,206.05
1		Ray Baum Act Programming		\$0.00
				\$0.00

Project Summary

State	Equipment	\$5,098.85
MA	Professional Services - Standard Labor Rates	\$5,456.00
		\$0.00
	Shipping	\$125.00
	Grand Total	\$10,679.85

Contractor: _____ 7/1/2022

Client: _____

Service is included in our proposal for the first year. Beyond this time, service is available either as an all-inclusive service contract or on a per-call-plus-parts basis.
30% Payable on signing of Sales Agreement, 30% on project start date & 40% at cutover or in service date.

Ask us about our other services: Broadbanding & Public Access TV Systems, Cabling Installation - Voice and Data, Clock Bells & Intercoms, Digital Signage Solutions, Digital Video Display Systems, Mass Notification Systems, Gunshot Detection Systems, Security & Surveillance Systems, SMART Classroom Solutions, Sound Masking Solutions, Sound Systems, Network Services - Phone, Internet & Data, Telephony Systems - Traditional & Hosted, Video Conferencing & More... We are your SINGLE-SOURCE for Technology Integration

State Contracts: MA: OFF30, FAC84, ITT50; CT: 13PSX0090, B-05-019 | State Licenses: MA: #1350-C; CT: #CT-C6-192407; RI: #RI-TSC-66
Affirmative Action / Equal Opportunity Employer



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413.592.4136
20 1st Avenue
Chicopee, MA 01020

QUOTE

Quote Date: 7/1/2022
Valid Thru: 9/29/2022

Customer Name: **Greenfield Newton School**
Address Line 1: 70 Shalburne Road
City/State/Zip: Greenfield, MA, 01301
Contact Name: Carol Holzberg
Contact Number: 413-772-1322
Contact Email: carhol1@apsk12.org

SCOPE

Proposal for an NEC SV9100 CP20 Telephone System Migration, to be installed at Greenfield Newton School location, configured as follows:

- Support up to 8 CO Ports
 - Support 8 SIP Trunks
 - Support up to 32 Digital Sets
 - Support InMail Voice Mail with 50 mailboxes
 - Support Ray Baum Act
- This quote also includes:
- Full 1st Year Parts and Labor Warranty coverage.
 - Full 5 Year Parts Warranty on starred items
 - Provide 5 Year SWA
 - Database gathering, installation & programming and training.

QTY	Part Number	Unit Name	Unit	Total
24	BE114042	Resource License-01	6.60	\$158.40
1	BE114053	SV9100 HW MIGRATION LIC	929.70	\$929.70
6	BE114066	SIP Trunk License-01 in package (6)	0.00	\$0.00
2	BE114086	SIP Trunk License-01	36.30	\$72.60
132	BE115156	SWA PSA SV9100 UNIT	7.60	\$1,029.60
36	BE119591	SV91 PRODUCTIVITY USER-LIC 01	25.05	\$902.30
1	Q24-DN000000106299	FIVE YEAR PARTS WARRANTY	200.55	\$200.55
1	* Q24-FR000000138730	SV9100E CP20 MIGRATION KIT B	2206.05	\$2,206.05
1		Ray Baum Act Programming		\$0.00
				\$0.00

Project Summary

State	Equipment	\$5,559.20
MA	Professional Services - Standard Labor Rates	\$5,720.00
		\$0.00
	Shipping	\$125.00
	Grand Total	\$11,404.20

Contractor: _____ 7/1/2022

Client: _____

Service is included in our proposal for the first year. Beyond this time, service is available either as an all-inclusive service contract or on a per-call-plus-parts basis.
30% Payable on signing of Sales Agreement, 30% on project start date & 40% at cutover or in service date.

Ask us about our other services: Broadbanding & Public Access TV Systems, Cabling Installation - Voice and Data, Clocks Bells & Intercoms, Digital Signage Solutions, Digital Video Display Systems, Mass Notification Systems, Gunshot Detection Systems, Security & Surveillance Systems, SMART Classroom Solutions, Sound Masking Solutions, Sound Systems, Network Services - Phone, Internet & Data, Telephone Systems - Traditional & Hosted, Video Conferencing & More... We are your SINGLE-SOURCE for Technology Integration

State Contracts: MA: OFF30, FAC64, ITT50; CT: 13PSX0090, B-05-019 | State Licenses: MA: #1350-C, CT: #CT-05-192407, RI: #RI-TSC-46
Affirmative Action / Equal Opportunity Employer



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413.592.4136

20 1st Avenue
Chicopee, MA 01020

QUOTE

Quote Date: 7/1/2022
Valid Thru: 9/29/2022

Customer Name: Greenfield Middle School
Address Line 1: 195 Federal Street
City/State/Zip: Greenfield, MA. 01301
Contact Name: Carol Holzberg
Contact Number: 413-772-1322
Contact Email: carhol1@aask12.org

SCOPE

Proposal for an NEC SV9100 CP20 Telephone System Migration, to be installed at Greenfield Middle School location, configured as follows:

- Support up to 12 CO Ports
- Support 16 SIP Trunks
- Support up to 120 Digital Sets
- Support 1 PRI
- Support InMail Voice Mail with 125 mailboxes
- Support Ray Baum Act

This quote also includes:

- Full 1st Year Parts and Labor Warranty coverage.
- Full 5 Year Parts Warranty on starred items
- Provide 5 Year SWA
- Database gathering, installation & programming and training.

QTY	Part Number	Unit Name	Unit	Total
124	BE114042	Resource License-01	6.60	\$818.40
1	BE114053	SV9100 HW MIGRATION LIC	809.70	\$809.70
6	BE114066	SIP Trunk License-01 in package (6)	0.00	\$0.00
10	BE114066	SIP Trunk License-01	36.30	\$363.00
207	BE115105	SWA PSA SV9100 UNIT	7.60	\$1,614.60
1	* BE119026	GPZ-SS20	233.75	\$233.75
113	BE119591	SV91 PRODUCTIVITY USER-LIC 01	25.65	\$2,821.05
1	Q24-DN00000106295	FIVE YEAR PARTS WARRANTY	221.80	\$221.80
1	* Q24-FR000000138730	SV9100CE CP20 MIGRATION KIT B	2206.06	\$2,206.06
1		Ray Baum Act Programming		\$0.00
				\$0.00

Project Summary

State	Equipment	\$9,288.35
MA	Professional Services - Standard Labor Rates	\$6,776.00
		\$0.00
	Shipping	\$125.00
	Grand Total	\$16,189.35

Contractor: _____ 7/1/2022

Client: _____

Service is included in our proposal for the first year. Beyond this time, service is available either as an all-inclusive service contract or on a per-call-plus-parts basis.
30% Payable on signing of Sales Agreement, 30% on project start date & 40% at cutover or in service date.

Ask us about our other services: Broadcasting & Public Access TV Systems, Cabling Installation - Voice and Data, Clocks Bells & Intercoms, Digital Signage Solutions, Digital Video Display Systems, Mass Notification Systems, Gunshot Detection Systems, Security & Surveillance Systems, SMART Classroom Solutions, Sound Masking Solutions, Sound Systems, Network Services - Phone, Internet & Data, Telephone Systems - Traditional & Hosted, Video Conferencing & More... We are your SINGLE-SOURCE for Technology Integration



VALLEY
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413.592.4136
20 1st Avenue
Chicopee, MA 01020

QUOTE

Quote Date: 7/1/2022
Valid Thru: 9/29/2022

Customer Name: **Greenfield High School**
Address Line 1: 21 Barr Avenue
City/State/Zip: Greenfield, MA 01301
Contact Name: Carol Holzberg
Contact Number: 413-772-1322
Contact Email: carhol1@gpsk12.org

SCOPE

Proposal for an NEC SV9100 Migration Telephone System to be installed at Greenfield High School location, configured as follows:

- Support up to 16 CO Ports
- Support 16 SIP Trunks
- Support up to 32 Digital Sets
- Support 84 Analog Ports
- Support 33 IP Licenses
- Support Conversion to InMail Voice Mail with 105 mailboxes
- Support Ray Baum Act

This quote also includes:

- Full 1st Year Parts and Labor Warranty coverage.
- Full 5 Year Parts Warranty on starred items
- Provide 5 Year SWA
- Database gathering, installation & programming and training.

QTY	Part Number	Unit Name	Unit	Total
124	BE114042	Resource License-01	8.80	\$818.40
1	BE114053	SV9100 HWY MIGRATION LIC	\$809.70	\$809.70
8	BE114095	SIP Trunk License-01 in package (\$)	0.00	\$0.00
10	BE114065	SIP Trunk License-01	36.30	\$363.00
207	BE115105	SWA PSA SV9100 UNIT	7.80	\$1,614.60
1	* BE119026	GPZ-SS20	233.75	\$233.75
35	BE119590	SV91 ESSENTIAL USER-LIC 01	24.20	\$847.00
80	BE119591	SV91 PRODUCTIVITY USER-LIC 01	25.85	\$2,404.00
1	Q24-DN000000106289	FIVE YEAR PARTS WARRANTY	221.80	\$221.80
1	* Q24-FR000000138730	SV9100E CP20 MIGRATION KIT B	2206.05	\$2,206.05
1		Ray Baum Act Programming		\$0.00
1		LM8000 to InMail Migration		\$0.00
				\$0.00

Project Summary

State	Equipment	\$9,618.35
	Professional Services - Standard Labor Rates	\$10,296.00
	Shipping	\$125.00
	Grand Total	\$20,039.35

Contractor: _____ 7/1/2022

Client: _____

Service is Included in our proposal for the first year. Beyond this time, service is available either as an all-inclusive service contract or on a per-call-plus-parts basis.
30% Payable on signing of Sales Agreement, 30% on project start date & 40% at cutover or in service date.

ACCOUNT	ACCOUNT DESCRIPTION	ORIGINAL APPROP	TRANSFRS/ADJSMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
40173980 5825	SchBathroo	45,000	0	45,000	24,047.00	0.00	20,953.00	53.40
40173980 5826	SchDoors	45,000	0	45,000	37,704.50	0.00	7,295.50	83.80
40183980 5820	ElemFloor	35,000	0	35,000	34,402.40	0.00	597.60	98.30
40183980 5840	NewtonStai	75,000	0	75,000	74,995.52	0.00	4.48	100.00
40183980 5841	ElemFence	25,000	0	25,000	2,004.00	0.00	22,996.00	8.00
40193980 5840	AuditLight	51,000	0	51,000	35,787.13	0.00	15,212.87	70.20
40233980 5858	Desktops	100,000	0	100,000	99,998.94	0.00	1.06	100.00
	Revenue Total	0	0	0	0.00	0.00	0.00	0.00
	Expense Total	616,000	0	616,000	548,556.24	0.00	67,060.51	89.10

**CITY COUNCIL ORDER
CITY OF GREENFIELD
MASSACHUSETTS**

Councilor _____ :
Second by Councilor _____ :

The City Council,

Upon recommendation of Mayor Wedegartner

**An Order
To appropriate from Free Cash in the amount of \$100,000 to Contract
Stabilization**

Ordered, that:

The Greenfield City Council appropriate the sum of \$100,000 from Free Cash to the Contract Stabilization Fund 8403.

Majority vote required (7)
VOTE:

Contract Stabilization Balance: \$170,779.82 *(there is a pending financial order for a transfer into contract stabilization of \$200,000).*

Rationale: Since the Police Audit was not passed by City Council, the Mayor is submitting an additional \$100,000 to Contract Stabilization.

The prior financial order submitted to replenish general stabilization (police audit) from free cash may be voted down or tabled.

CITY COUNCIL ORDER
CITY of GREENFIELD
MASSACHUSETTS

Councilor _____ :
Second by Councilor _____ :

The City Council,

Upon recommendation of Mayor Wedegartner

An Order
Local Approval for 5% COLA Option

Ordered that,

The City Council authorizes an increase in the Cost of Living Adjustment (“COLA”) for Fiscal Year 2023 from 3% to 5% on the base amount for retirees specified pursuant to G.L. c. 32, § 103 effective July 1, 2022.

Majority Vote Required (7).

VOTE:

Explanation & Supporting Rationale

On November 16, 2022, the Governor signed Chapter 269 of the Acts of 2022 into law. This act provides the local retirement systems with a local option to increase the Cost of Living Adjustment (“COLA”) for Fiscal Year 2023 to up to 5 percent on the base amount specified pursuant to G.L. c. 32, § 103. The increase, if approved, will take effect as of July 1, 2022.

On November 22, 2022, the Greenfield Retirement Board voted to increase the COLA percentage for FY22 from 3% to 5%, an increase of 2% effective July 1, 2022.

If approved, retirees that earn at least \$14,000 annually will receive an additional \$280.00 in FY22. The increase to the system is approximately \$84,000, with Greenfield’s portion at 90%. If there is an increase to the City’s retirement assessment, it will not take place until FY25.

Attachment: PERAC Memo dated 11/18/22

PERAC

PERAC MEMO #29/2022

COMMONWEALTH OF MASSACHUSETTS | PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION COMMISSION

PHILIP Y. BROWN, ESQ., Chair

JOHN W. PARSONS, ESQ., Executive Director

Auditor SUZANNE M. BUMP | KATHLEEN M. FALLON | KATE RIZPATRICK | JAMES J. GUIDO | RICHARD MACKINNON, JR. | JENNIFER F. SULLIVAN, ESQ.

MEMORANDUM

TO: All Retirement Boards

FROM: John W. Parsons, Esq., Executive Director

RE: 5% Local COLA option

DATE: November 18, 2022

On November 16, 2022, the Governor signed Chapter 269 of the Acts of 2022 into law. This act provides the local retirement systems with a local option to increase the Cost of Living Adjustment ("COLA") for Fiscal Year 2023 to up to 5 percent on the base amount specified pursuant to G.L. c. 32, § 103. The approval of the increase can occur at any time during the fiscal year and will take effect as of July 1, 2022.

The local approval mechanism is different than traditional COLA increases and COLA base increases. In order for a system to adopt a COLA increase pursuant to this act, **the retirement board must vote for the increased amount and then it must also receive local approval.**

For purposes of this act, local approval means:

- In a city, the mayor must recommend the increase to the city council and the council must vote in favor.
- In a city having a Plan D or Plan E charter, the city manager must recommend the increase to the city council and the council must vote in favor.
- In a town, the chief executive officer¹ - the select board in nearly all cases - must vote in favor to accept the increase rather than the town meeting as is the case for COLA base increases.
- In a district, or other political subdivision, the governing board, commission or committee must vote in favor to accept the COLA increase.

¹ As defined in G.L. c. 4, § 7, "chief executive officer", when used in connection with the operation of municipal governments shall include the mayor in a city and the select board in a town unless some other municipal office is designated to be the chief executive officer under the provisions of a local charter.



MEMORANDUM - Page Two

TO: All Retirement Boards
FROM: John W. Parsons, Esq., Executive Director
RE: 5% Local COLA option
DATE: November 18, 2022

- In a regional system, two-thirds of the cities and towns within the system must approve the increase. This is done in the same fashion as stated above for municipalities: in a city, by the city council upon recommendation by the mayor or, in a city with a Plan D or Plan E charter, the city manager; or, in a town, by approval of the chief executive officer (likely the select board) as defined by G.L. c. 4, § 7.
- In a county, the county commissioners, who normally do not have a role in COLAs nor COLA base increases, must vote to accept **and** two-thirds of the cities and towns within the system must approve the increase in the same manner as stated above for regional systems.

Though many local systems are comprised of multiple units such as housing authorities and districts, the two-thirds language only applies to regional and county systems as the approval specified in the statute only refers to cities and towns as voting political subdivisions.

Section 2 of the act provides that a COLA increase pursuant to this act is retroactive to July 1, 2022. Any COLA increase, in addition to any COLA previously adopted for FY 23, will become part of the fixed amount of a retirees' retirement allowance in the same manner as all COLAs granted pursuant to section 103.

PERAC has already received questions about estimating the cost of the enhanced COLA. PERAC Actuary John Boorack has provided the following formula for a conservative full-cost estimate, not a one-year estimate, to assist boards in their planning:

$$(0.2) \times (\text{COLA base}) \times (\# \text{ of retirees/beneficiaries})$$

If you have any questions about this memo, please contact PERAC's General Counsel, Judith Corrigan, at (617) 591-8904 or at judith.a.corrigan@mass.gov.

p:\admin\pera & perac memos\perac memo #29-2022.docx

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____ :
Second by Councilor _____ :

The City Council,

Upon recommendation of Mayor Wedegartner, that it be ordered that

Ordered that,

The City Council vote to accept an easement for electrical service at 402 & 412 Main Street, the new Greenfield Public Library.

Majority Vote Required

Vote:

Explanation of Supporting Rationale:

The City of Greenfield – Greenfield Public Library seeks an easement across the property at 402 & 412 Main Street (see attached map) that is shared with M&T Bank, Greenfield Savings Bank and Eversource. Lawyers for all entities have been working on this for more than a month and have now resolved all issues and are ready to record the easement. The easement is essential to the library as it enters its final phase of buildout in order to provide the electrical service required at the new Greenfield Public Library.

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____:

Second by Councilor _____:

The City Council,

Moved that it be ordered,

THE CITY COUNCIL VOTES THEIR INTENTION TO CONSIDER LAYING OUT
VERDE DRIVE – PHASE TWO AS A PUBLIC WAY AND REFERS THE PETITION
TO THE PLANNING BOARD.

Majority Vote

VOTE:

Explanation of supporting rationale:

Petition and supporting documentation

Greenfield KMW LLC
353 Conway Street
Greenfield, Massachusetts 01301

November 7, 2022

City of Greenfield
ATTN: Kathryn Scott, Clerk to the City Council
City Hall, Room 104,
14 Court Square Greenfield, MA 01301

GREENFIELD, MASS
2022 NOV -9 PM 3:37
CITY CLERK

RE: Petition for Acceptance of Verde Drive-Phase Two as a Public Way


To Whom It May Concern:

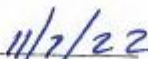
I, the undersigned, Kris Noel Warner, individually and as Manager of Greenfield KMW LLC, a limited liability company with principal offices now located at 353 Conway Street, Greenfield, Massachusetts 01301, hereby petitions the City Council for the City of Greenfield, Massachusetts to accept the roadway known as Verde Drive-Phase Two, as laid out and more particularly shown on the "Street Acceptance Plan of Verde Drive - Phase Two Town of Greenfield, Massachusetts Franklin Count" dated June 29, 2022, by Heritage Land Surveying & Engineering, Inc., as a public way.

I have attached/affixed accompanying materials as required for consideration including a legal description for the premises.

Sincerely,

Greenfield KMW LLC


By: Kris Noel Warner, Manager
Duly Authorized


Date

Enclosures

November 7, 2022

Supplementary Materials - Petition to Greenfield City Council by Greenfield KMW LLC
Road Acceptance – Verde Drive-Phase Two, Greenfield, Massachusetts

Developer:

Greenfield KMW LLC / Kris Noel Warner, Manager
85 Verde Drive, Greenfield, MA 01301

The developer has recently relocated to 353 Conway Street, Greenfield, MA 01301

Existing Mortgages (to be released on Verde Drive-Phase Two)

1. Mortgage by Kris N. Warner to Greenfield Co-Operative Bank dated December 15, 2004, in the original principal sum of up to \$500,000.00, and recorded in the Franklin County Registry of Deeds in Book 4760, Page 195.

Greenfield Cooperative Bank has agreed to partially release the underlying land of Verde Drive-Phase Two, securing the foregoing mortgage, pending the acceptance by the City.

Easements:

1. An easement 10.00' wide to Verizon New England, Inc., its successors and assigns, & Western Massachusetts Electric Company, its successors and assigns, as particularly described in document recorded in the Franklin County Registry of Deeds in Book 4889, Page 320. See document affixed hereto.
2. An Easement and Right of Way granted by Greenfield KMW, LLC to Comcast of Massachusetts/Virginia Inc., a Virginia Corporation, its successors and assigns, dated November 8, 2005, and recorded in the Franklin County Registry of Deeds on February 23, 2006, in Book 5050, Page 110. See document affixed here.

List of Abutters/Mortgagees

1. Pederson, David & Eiljdh Pederson, 26 Verde Drive, Bk. 7037, Pg. 13
2. Greenfield KMW LLC, 131 Verde Drive, Bk. 118, Pg 19
3. DiStasio, Alan & Amanda McEnery, 123 Verde Drive, Bk. 7982, Pg. 19
 - a. Mortgage to MERS (HarborOne Mortgage, LLC), P.O. Box 2026, Flint, MI 48501 – Bk. 7982, Pg. 202
4. Cecunjanin, Abaz, 115 Verde Drive, Bk. 118, Pg. 19
 - a. Mortgage to MERS (Rocket Mortgage, LLC), P.O. Box 2026, Flint, MI 48501, Bk. 7855, Pg. 303

November 7, 2022

Supplementary Materials - Petition to Greenfield City Council by Greenfield KMW LLC
Road Acceptance – Verde Drive-Phase Two, Greenfield, Massachusetts

5. Siano, Alexander V. & Lindsay M., 107 Verde Drive, Bk. 7626, Pg. 174
 - a. Mortgage to Greenfield Savings Bank, 400 Main Street, Greenfield, MA 01301, Bk 7626, Pg. 180
6. Halbach, Toni, 99 Verde Drive, Bk. 7187, Pg. 329
 - a. Mortgage to Citizens Bank, NA, One Citizens Plaza, Providence, RI 02903, Bk. 8053, Pg. 288
7. Taraburca, Ille, 91 Verde Drive, Bk. 7371, Pg. 96
 - a. Mortgage to Greenfield Savings Bank, 400 Main Street, Greenfield, MA 01301, Bk. 7549, Pg. 236
8. O'Reilly, David R., & Nicole O'Reilly, 85 Verde Drive, Bk 8034, Pg. 1
9. Roberts, Jamie & Gregory Roberts, 77 Verde Drive, Bk. 7702, Pg. 107
 - a. Mortgage to Freedom Credit Union, 1976 Main St., Springfield, MA 01103, Bk. 7702 Pg. 111
10. DeAngelis, Jeannine, 71 Verde Drive, Bk. 7771, Pg. 260
 - a. Mortgage to Greenfield Savings Bank, 400 Main Street, Greenfield, MA 01301, Bk. 7771, Pg. 264
11. Morris, Jr., Harry L. and & Wendy S., 55 Verde Drive, Bk. 6612, Pg. 19
 - a. Mortgage to Navy Federal Credit Union, 820 Follin Lane, Vienna, VA 22180, Bk 7161, Pg. 87
12. Moulton, Eric J. & Jessica A., 36 Verde Drive, Bk. 5200, Pg. 234
 - a. Mortgage to Greenfield Cooperative Bank, 63 Federal St., P.O. Box 1345, Greenfield, MA 01302, Bk. 7689 Pg. 223
 - b. Mortgage to Greenfield Cooperative Bank, 63 Federal St., P.O. Box 1345, Greenfield, MA 01302, Bk. 7689 Pg. 240
13. Ayrapetyan, Tigran & Vera, 128 Verde Drive, Bk. 7748, Pg. 336
 - a. Mortgage to MERS (Home Point Financial Corporation), P.O. Box 2026, Flint, MI 48501 Bk. 7749, Pg. 1
14. Dumas, Philip A. & Debra L., 116 Verde Drive, Bk. 7041, Pg. 152
 - a. Mortgage to Greenfield Savings Bank, 400 Main Street, Greenfield, MA 01301, Bk. 7530, Pg. 255
15. Petcu, Oleg, 108 Verde Drive, Bk. 7051, Pg. 241

November 7, 2022

Supplementary Materials - Petition to Greenfield City Council by Greenfield KMW LLC
Road Acceptance – Verde Drive-Phase Two, Greenfield, Massachusetts

- a. Mortgage to Greenfield Savings Bank, 400 Main Street, Greenfield, MA 01301, Bk. 7162, Pg. 238
- 16. Grippo, Ann, 100 Verde Drive, Bk. 7190, Pg. 108
- 17. Patel, Priyankkumar R. & Beena P. Patel, 92 Verde Drive, Bk. 7210, Pg. 19
 - a. Mortgage to Greenfield Savings Bank, 400 Main Street, Greenfield, MA 01301, Bk. 7255, Pg. 187
 - b. Mortgage to Greenfield Savings Bank, 400 Main Street, Greenfield, MA 01301, Bk. 7985, Pg. 113
- 18. Valentine, Margaret R., and Lori M. Streeter, 60 Verde Drive, Bk. 7091, Pg. 204
 - a. Mortgage to MERS (Bank of America, N.A., 101 South Tryon Street, Charlotte, NC 28255, Bk. 7126, Pg. 102
- 19. Klepadlo, Joseph P. & Diane M., 52 Verde Drive, Bk. 5801, Pg. 223

November 7, 2022

Supplementary Materials - Petition to Greenfield City Council by Greenfield KMW LLC
Road Acceptance – Verde Drive-Phase Two, Greenfield, Massachusetts

EXHIBIT "A"

Affected Premises:

Verde Drive-Phase Two
Greenfield, Massachusetts

A certain parcel of land bounded and described as follows:

Beginning at a concrete bound on the westerly sideline of Verde Drive-Phase One at the northeasterly corner of Lot 24 thence;

Westerly, on a curve to the left, having a radius of 20.00 feet, along Verde Drive-Phase Two, 31.00 feet to a concrete bound, thence;

N78°22'08"W, along last named land, 38.78 feet to a concrete bound, thence;

Westerly, on a curve to the right, having a radius of 305.00 feet, along Lots 24, 25 & 26, and an arc length of 400.84 feet to a concrete bound, thence;

N03°04'12"W, along the western sideline of Verde Drive-Phase Two along Lot 26, 110.60 feet to a concrete bound, thence;

Northerly, on a curve to the right, having a radius of 525.00 feet, along Lots 26 & 27, and an arc length 251.77 feet to a concrete bound, thence;

N24°24'23"E, along Lots 27, 28, 29 & 30, 593.22 feet, to a concrete bound, thence;

Easterly, on a curve to the right, having a radius of 150.00 feet, along Lots 30, 31 & 18, and an arc length 409.73 feet to a concrete bound, thence;

S00°54'43"W, along Lots 18, 17 & 6, 504.64 feet to a concrete bound, thence;

Southerly, on a curve to the right, having a radius of 150.00 feet, along Lot 6, and an arc length 63.75 feet to a concrete bound at the northerly terminus of Verde Drive-Phase One, thence;

N67°32'24"W, between Verde Drive Phase One & Verde Drive-Phase Two, 50.09 feet to a concrete bound, thence;

November 7, 2022

Supplementary Materials - Petition to Greenfield City Council by Greenfield KMW LLC
Road Acceptance – Verde Drive-Phase Two, Greenfield, Massachusetts

Northerly, on a curve to the left, having a radius of 100.00 feet along Lot 15 on the westerly line of Verde Drive-Phase Two, and an arc length 44.92 feet to a concrete bound, thence;

N00°54'43"E, along Lots 15 & 16, 504.64 feet to a concrete bound, thence;

Westerly, on a curve to the left, having a radius of 100.00 feet along Lot 19, and an arc length 273.15 feet to a concrete bound, thence;

S24°24'23"W, along Lots 19, 20, 21 & 19, 593.22 feet to a concrete bound, thence;

Southerly, on a curve to the left, having a radius of 475.00 feet along Lots 22 & 23, and an arc length 227.79 feet to a concrete bound, thence;

S03°04'12"E, along Lot 23, 110.60 feet to a concrete bound, thence;

Southerly, on a curve to the left, having a radius of 255.00 feet along Lots 23 & 13, and an arc length 335.12 feet to a concrete bound, thence;

S78°22'08"E, along Lot 13, 38.82 feet to a concrete bound, thence;

Easterly, on a curve to the left, having a radius of 20.00 feet Lot 13, and an arc length 30.98 feet to a concrete bound, thence;

Southerly, on a curve to the left, having a radius of 2100 feet along the terminus of Verde Drive-Phase Two, and an arc length 89.16 feet to the point of beginning.

The above described tract of land is shown as "VERDE DRIVE ~ PHASE TWO" on a Plan of Land entitled "Street Acceptance Plan of Verde Drive ~ Phase Two Town of Greenfield, Massachusetts Franklin County", Scale 1"=40', dated June 29, 2022, by Heritage Land Surveying & Engineering, Inc., and recorded in the Franklin County Registry of Deeds, Plan Book ___, Page ____.

COMMONWEALTH OF MASSACHUSETTS

County of Franklin ss.

On this ____ day of September, 2022, before me, the undersigned notary public, personally appeared KRIS N. WARNER, Manager for Greenfield KMW LLC, who proved his/her identity to me:

___ by personal knowledge of signatory for a period of time establishing beyond doubt that the individual has the identity claimed,

___ by taking the oath of a credible witness, unaffected by this document or transaction, who has personal knowledge of signatory, said witness being personally known to me,

X by satisfactory evidence of photographic identification of signatory, which was his/her current driver's license,

and swore to me to be the person(s) whose name is/are signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose, as manager for and on behalf of Greenfield KMW LLC.

Notary Public:

My commission expires:

EXHIBIT "A"

Affected Premises:

Verde Drive-Phase Two
Greenfield, Massachusetts

A certain parcel of land bounded and described as follows:

Beginning at a concrete bound on the westerly sideline of Verde Drive-Phase One at the northeasterly corner of Lot 24 thence;

Westerly, on a curve to the left, having a radius of 20.00 feet, along Verde Drive-Phase Two, 31.00 feet to a concrete bound, thence;

N78°22'08"W, along last named land, 38.78 feet to a concrete bound, thence;

Westerly, on a curve to the right, having a radius of 305.00 feet, along Lots 24, 25 & 26, and an arc length of 400.84 feet to a concrete bound, thence;

N03°04'12"W, along the western sideline of Verde Drive-Phase Two along Lot 26, 110.60 feet to a concrete bound, thence;

Northerly, on a curve to the right, having a radius of 525.00 feet, along Lots 26 & 27, and an arc length 251.77 feet to a concrete bound, thence;

N24°24'23"E, along Lots 27, 28, 29 & 30, 593.22 feet, to a concrete bound, thence;

Easterly, on a curve to the right, having a radius of 150.00 feet, along Lots 30, 31 & 18, and an arc length 409.73 feet to a concrete bound, thence;

S00°54'43"W, along Lots 18, 17 & 6, 504.64 feet to a concrete bound, thence;

Southerly, on a curve to the right, having a radius of 150.00 feet, along Lot 6, and an arc length 63.75 feet to a concrete bound at the northerly terminus of Verde Drive-Phase One, thence;

N67°32'24"W, between Verde Drive Phase One & Verde Drive-Phase Two, 50.09 feet to a concrete bound, thence;

Northerly, on a curve to the left, having a radius of 100.00 feet along Lot 15 on the westerly line of Verde Drive-Phase Two, and an arc length 44.92 feet to a concrete bound, thence;

N00°54'43"E, along Lots 15 & 16, 504.64 feet to a concrete bound, thence;

Westerly, on a curve to the left, having a radius of 100.00 feet along Lot 19, and an arc length 273.15 feet to a concrete bound, thence;

S24°24'23"W, along Lots 19, 20, 21 & 19, 593.22 feet to a concrete bound, thence;

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S03°04'12"E, along Lot 23, 110.60 feet to a concrete bound, thence;

Southerly, on a curve to the left, having a radius of 255.00 feet along Lots 23 & 13, and an arc length 335.12 feet to a concrete bound, thence;

S78°22'08"E, along Lot 13, 38.82 feet to a concrete bound, thence;

Easterly, on a curve to the left, having a radius of 20.00 feet Lot 13, and an arc length 30.98 feet to a concrete bound, thence;

Southerly, on a curve to the left, having a radius of 2100 feet along the terminus of Verde Drive-Phase Two, and an arc length 89.16 feet to the point of beginning.

The above described tract of land is shown as "VERDE DRIVE ~ PHASE TWO" on a Plan of Land entitled "Street Acceptance Plan of Verde Drive ~ Phase Two Town of Greenfield, Massachusetts Franklin County", Scale 1"=40', dated June 29, 2022, by Heritage Land Surveying & Engineering, Inc., and recorded in the Franklin County Registry of Deeds, Plan Book ___, Page ___.

FORM O
PLANNING BOARD
GREENFIELD, MASS. TOWN OF GREENFIELD, MASSACHUSETTS

2006 OCT -3 P 1:56

CERTIFICATE OF COMPLETION
AND
RELEASE OF MUNICIPAL INTEREST IN
SUBDIVISION PERFORMANCE SECURITY

OFFICE OF THE
TOWN CLERK

Date: January 12, 2006

Subdivision Name: McHard Acres
Owner: Greenfield KMW, LLC c/o Kris N. Warner
Owner's Address: 3 Bayberry Lane, Hadley, MA 01035
Applicant, if other than owner:
Applicant's Address:
Date of Subdivision Plan: March 7, 2005
Designer of Plan: DeWolfe Engineering Associates
Land Located: Country Club, Sapphire Land and Verde Drive, Greenfield, MA

(Check Appropriate Box)

Plan Recorded: ☒ Franklin County Registry of Deeds

Plan and Certificate
Of Title

Registered: ☐ Registered Land Office of Franklin Registry of Deeds

Plan found in Book 118, Page 19-20

Type of Performance Security:

☒ Covenant, dated: May 17, 2005
Covenant recorded: Franklin County Registry of Deeds

or
Covenant registered: Registered Land Office of Registry of Deeds
Covenant found in Book 4866, Page 321

☐ Bond, agreement dated:
Surety Company:
Address of Surety:

☐ Deposit of money, agreement dated:
Bank, if bank passbook:
Address of Bank:

☒ Other Security, agreement dated:

☐ Letter of Credit, agreement dated:
Bank:
Address of Bank:

Lender's Agreement dated 4/28/2005
recorded in Book 4866, Page 316

The undersigned, being a majority of the Planning Board of the Town of Greenfield have determined that the construction of ways and installation of municipal services in the subdivision referred to above have been fully and satisfactorily completed by the applicant in accordance with the Board's rules and regulations to serve the following enumerated lots:

Lots 1 through 15 and 24 by lenders agreement and Lots
16-23 and 25-31 by covenant (All lots within McHard Acres,
Greenfield, MA)

Pursuant to Section 81-U of Chapter 41, M.G.L. and in consideration of completion of said construction and installation, the Town of Greenfield, a Massachusetts municipal corporation, acting through its Planning Board, hereby releases its interest in the performance security referred to above.

Duly executed as a sealed instrument this 20th day of November 20 06

Roxann Wedepotter
Ann E. McIntosh
Linda B. Smith
Mary Newton

Signed by a Majority of the Planning Board
of the Town of Greenfield

COMMONWEALTH OF MASSACHUSETTS

463-77-2176 ss

November 20 2006

Then personally appeared Roxann Wedepotter one of the above-named members of the Planning Board of Greenfield, Massachusetts and acknowledged the foregoing instrument to be (his/her) free act and deed before me.

Erin E. Jacque
Notary Public

My Commission expires: January 25, 2013

Duplicate copy to:
Applicant
(Surety, if bond agreement)
(Bank, if bank passbook or letter of credit)
Planning Board
Town Clerk
Town Treasurer
Town Council



ERIN E. JACQUE
Notary Public
Commonwealth of Massachusetts
My Commission Expires
January 25, 2013

Affected Premises:

Verde Drive – Phase Two
Greenfield, Massachusetts 01301

_____[Space Above This Line for Recording Data]_____

QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS that, **GREENFIELD KMW LLC**, a Massachusetts Limited Liability Company with principal offices located in Greenfield, Franklin County, Massachusetts, for good and valuable consideration, but no Monetary consideration,

Grant(s) to the **CITY OF GREENFIELD** of 14 Court Square, Greenfield, Massachusetts,

with **QUITCLAIM COVENANTS**

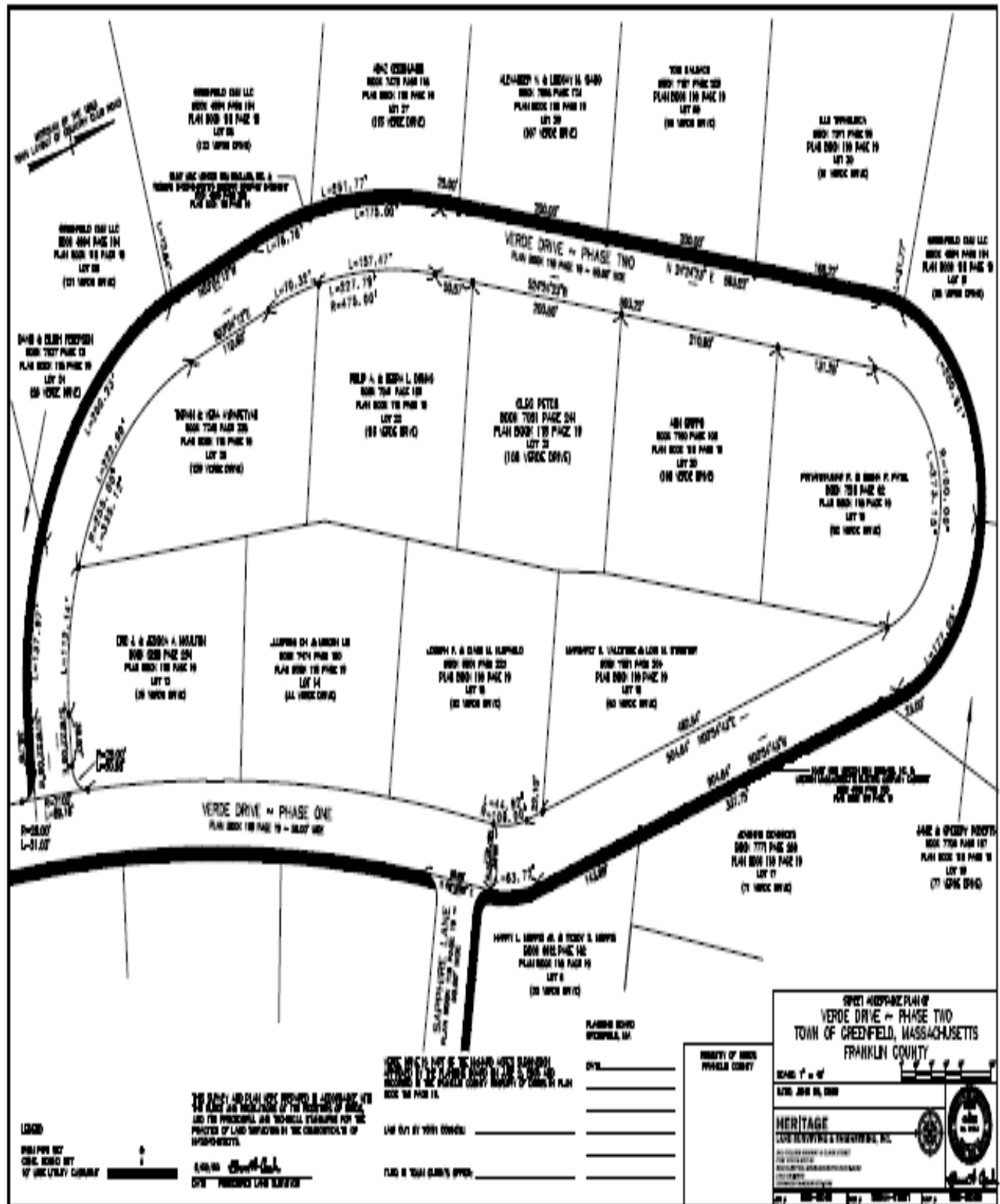
All Grantor's right, title and interest in the land in Greenfield, Franklin County, Massachusetts, together with the buildings and improvements thereon, bounded and described in Exhibit A, attached hereto.

Being a portion of the premises conveyed ot Greenfield KMW, LLC by deed of Kris N. Warner dated July 14, 2005, and recorded in the Franklin County Registry of Deeds in Book 4894, Page 104.

EXECUTED as a sealed instrument this ____ day of September, 2022.

Greenfield KMW, LLC

KRIS N. WARNER, Manager



CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____ :
Second by Councilor _____ :

The City Council,

Moved that it be ordered,

THAT THE CITY COUNCIL OF GREENFIELD AMEND THE ZONING ORDINANCE, CHAPTER 200, SECTION 200-7. 17: MARIJUANA ESTABLISHMENTS, WITH ADDITIONAL LANGUAGE ATTACHED 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 CITY OF GREENFIELD.

Two/Thirds (2/3) Vote Required (9)

Vote by January 4, 2023

Explanation of supporting rationale:

Exhibit A: Proposed language submitted by Councilor Desorgher

Exhibit B: Proposed language recommended by the Planning Board at their October 20, 2022 meeting

Cleaner Copy of Exhibit B

Exhibit A

Add Definitions:

Marijuana Cultivation Indoor: *An indoor marijuana cultivation shall be within a fully enclosed and secured space within a building envelope that complies with the Massachusetts Building Code and the Greenfield Building Code. A fully enclosed space shall have a complete opaque roof, a foundation, slab or equivalent base, to which the floor is secured by bolts or similar attachments, and is secure against unauthorized entry. The building shall be accessible only through one or more lockable doors, with walls and roofs constructed of solid materials such as two inch by four inch or thicker studs overlaid with three-eighths inch or thicker plywood or the equivalent. Plastic sheeting, regardless of gauge, or similar products shall not satisfy this requirement. An indoor cultivation shall be allowed to cultivate plants under artificial lighting and shall maintain a climate-controlled environment capable of regulating light, heat, water, nutrition, and pests. An indoor cultivation shall have a ventilation and filtration system that prevents marijuana plant odors from exiting the interior of the structure. For the purpose of this ordinance, neither a greenhouse nor a hoop house shall be considered a fully enclosed and secured space within a building envelope.*

Marijuana Cultivation Outdoor: *An outdoor cultivation shall be any location that is not within a fully enclosed and secure space within a building, as contained in the definition of an indoor cultivation. Outdoor cultivation means the cultivation of mature Cannabis without the use of artificial lighting in the Canopy area at any point in time. Artificial lighting is permissible only to maintain immature or vegetative mother plants.*

The Greenfield Zoning Ordinance, Chapter 200, is hereby further amended in section 200-7.17 (E) General requirements and Conditions for all Marijuana Establishments by adding after subsection (12) the following new sections:

(13). *No Marijuana Outdoor Cultivation in the RC zone shall be located within a distance of 500 feet from any residential property as measured in a straight line as the shortest distance from the edge of the marijuana canopy to the edge of any building or other occupied space.*

(14) *A Marijuana Indoor or Outdoor Cultivation shall comply in every respect with the requirements 935 CMR 500.110(6) which regulates "Security and Alarm Requirements for Marijuana Establishments Operating Outdoors."*

- a) *Implement adequate security measures to ensure that outdoor areas are not readily accessible to unauthorized individuals and to prevent and detect diversion, theft or loss of Marijuana which shall at a minimum, include:*
- b) *Marijuana not grown inside a securable structure shall be enclosed within a minimum of eight (8) foot opaque perimeter security fence to prevent unauthorized entry to the cultivation facility with signs notifying observers that it is a Limited Access Area.*
- c) *Commercial-grade, nonresidential locks;*
- d) *A security alarm system that shall be continuously monitored, whether electronically, by a monitoring company or other means determined to be adequate by the Commission; and provide an alert to designated employees of the Marijuana Establishment within five minutes after a notification of an alarm or a system failure, either by telephone, email, or text message;*

- e) Video cameras at all points of entry and exit and in any parking lot which shall be directed at all safes, vaults, sales areas, and areas where Marijuana is cultivated, harvested, processed, prepared, stored, handled, transferred or dispensed and for the purpose of securing cash. Cameras shall be angled so as to allow for the capture of clear and certain identification of any person entering or exiting the Marijuana Establishment or area;
- f) 24-hour recordings from all video cameras that are available for immediate viewing by the Commission on request and that are retained for at least 90 calendar days. Recordings shall not be destroyed or altered, and shall be retained as long as necessary if the Marijuana Establishment is aware of a pending criminal, civil, or administrative investigation for which the recording may contain relevant information;
- g) The ability to immediately produce a clear, color still image whether live or recorded;
- h) A date and time stamp embedded in all recordings, which shall be synchronized and set correctly at all times and shall not significantly obscure the picture;
- i) The ability to remain operational during a power outage; and
- j) A video recording that allows for the exporting of still images in an industry standard format, including .jpg, bmp, and .gif. Exported video shall have the ability to be archived in a proprietary format that ensures authentication of the video and guarantees that no alteration of the recorded image has taken place. Exported video shall also have the ability to be saved in an industry standard file format that may be played on a standard computer operating system. All recordings shall be erased or destroyed prior to disposal;
- k) All security system equipment and recordings shall be maintained in a secure location so as to prevent theft, loss, destruction and alterations.
- l) In addition to the requirements listed in 935 CMR 500.110(4)(a) and (b) the Marijuana Establishment shall have a back-up alarm system, with all capabilities of the primary system, provided by a company supplying commercial grade equipment, which shall not be the same company supplying the primary security system or shall demonstrate to the Commission's satisfaction alternate safeguards to ensure continuous operation of a security system
- m) Access to surveillance areas shall be limited to persons that are essential to surveillance operations, Law Enforcement Authorities acting within their lawful jurisdiction, police, and fire departments, security system service personnel and the Commission. A current list of authorized employees and service personnel that have access to the surveillance room must be available to the Commission on request. If the surveillance room is on-site of the Marijuana Establishment, it shall remain locked and shall not be used for any other function.
- n) All security equipment shall be in good working order and shall be inspected and tested at regular intervals, not to exceed 30 calendar days from the previous inspection and test.
- o) Security plans and procedures shared with Law Enforcement Authorities pursuant to 935 CMR 500.110(1)(o) shall include: a description of the location and operation of the security system including the location of the central control on the Premises, a schematic of security zones, the name of the security alarm company and monitoring company, if any, a floor plan or layout of the facility in a manner and scope as required by the municipality; and a safety plan for the manufacture and production of marijuana products as required pursuant to 935 CMR 500.101(1)(d)3.c.
- p) Each licensee shall file an emergency response plan with the Greenfield Fire and Police Department

(15) No Outdoor Marijuana Cultivation establishment shall allow cultivation, processing, manufacture, sale, or display of marijuana or marijuana products to be visible from a public place without the use of binoculars, aircraft, or other optical aids.

(16) An Indoor or Outdoor Marijuana Cultivation shall be ventilated in such a manner that no odor from marijuana or its processing can be detected by a person with an unimpaired and otherwise normal sense of smell at any exterior boundary line of the cultivation property or at any adjoining use or property. Outdoor cultivation of marijuana will implement industry best practice to eliminate any noticeable trace of marijuana odor at the perimeter of the property of the cultivation site.

(17) Lighting from any Indoor or Outdoor Marijuana Cultivation shall not extend beyond property lines. Artificial lighting from within gate building(s) shall not create light pollution.

F. In reviewing a special permit under this section the Board shall consider the impact of the proposal on the following:

- h) Proximity to other licensed marijuana uses to prevent clustering.*
- i) Relationship to surrounding uses to avoid unnecessary exposure to minors.*
- j) Site design and other development related site impacts.*
- k) Liability Insurance Coverage or Maintenance of Escrow as required in 935 CMR 500(10)*

(18) All applications for a special permit for marijuana cultivation must include a water management plan, submitted by the applicant. It shall be prepared by an independent contractor who is approved by the city. The plan will then be reviewed by the DPW director. It must demonstrate that water usage at full capacity will not compromise the public water supplies of the city.



Roxann Wedegartner
Mayor

City of
GREENFIELD, MASSACHUSETTS

PLANNING AND DEVELOPMENT

PLANNING BOARD

City Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1549 • eric.twarog@greenfield-ma.gov • www.greenfield-ma.gov

TO: Sheila Gilmour, City Council President
Members of the Greenfield City Council

FROM: Charles Roberts, Chairperson, Planning Board

DATE: October 21, 2022


RE: Planning Board deliberation on the proposed Zoning Amendments to Section 200 7-17: Marijuana Establishments, Marijuana Indoor and Outdoor Cultivation of the Zoning Ordinance.

At its October 20, 2022 meeting, the Planning Board, after careful consideration and deliberation, took the following vote relative to the proposed zoning amendments to Section 200 7-17: Marijuana Establishments, Marijuana Indoor and Outdoor Cultivation of the Zoning Ordinance:

MOTION: Moved by Chichester, seconded by Touloumtzis, and voted 5:0:0 to forward a positive recommendation to the City Council on the proposed zoning amendments to Section 200 7-17: Marijuana Establishments, Marijuana Indoor and Outdoor Cultivation of the Zoning Ordinance as revised.

Respectfully submitted,
Charles Roberts
Chairperson, Planning Board

Attachments: Tracked and Cleans Versions



*The City of Greenfield is an Affirmative Action/Equal Opportunity Employer,
a designated Green Community and a recipient of the "Leading by Example" Award*

**PROPOSED AMENDMENT TO THE GREENFIELD ZONING ORDINANCE
AMENDING SECTION 200-7.17 – MARIJUANA ESTABLISHMENTS
October 21, 2022**

Amend the Greenfield Zoning Ordinance Chapter 200, Article II, Definitions, Section 200-2.1B Terms and Words, by adding after the term "Marijuana Cultivator," the following new terms:

MARIJUANA CULTIVATION, INDOOR – *An indoor marijuana cultivation shall be within a fully enclosed and secured space within a building envelope that complies with the Massachusetts Building Code and the Greenfield Building Code. A fully enclosed space shall have a complete opaque roof, a foundation, slab or equivalent base, to which the floor is secured by bolts or similar attachments, and is secure against unauthorized entry. The building shall be accessible only through one or more lockable doors, with walls and roofs constructed of solid materials such as two inch by four inch or thicker studs overlaid with three-eighths inch or thicker plywood or the equivalent. Plastic sheeting, regardless of gauge, or similar products shall not satisfy this requirement. An indoor cultivation shall be allowed to cultivate plants under artificial lighting and shall maintain a climate-controlled environment capable of regulating light, heat, water, nutrition, and pests. An indoor cultivation shall have a ventilation and filtration system that prevents marijuana plant odors from exiting the interior of the structure. For the purpose of this ordinance, neither a greenhouse nor a hoop house shall be considered a fully enclosed and secured space within a building envelope.*

MARIJUANA CULTIVATION, OUTDOOR – *An outdoor cultivation shall be any location that is not within a fully enclosed and secure space within a building, as contained in the definition of an indoor cultivation. Outdoor cultivation means the cultivation of mature Cannabis without the use of artificial lighting in the Canopy area at any point in time. Artificial lighting is permissible only to maintain immature or vegetative mother plants.*

The Greenfield Zoning Ordinance, Chapter 200, is hereby further amended in section 200-7.17 (E) General requirements and Conditions for all Marijuana Establishments by adding after subsection (12) the following new subsections:

(13) No Marijuana Outdoor Cultivation in the RC zone shall be located within a distance of ~~500~~ 400 feet from ~~any residential property~~ the nearest residential property line as measured in a straight line as the shortest distance from the edge of the marijuana canopy to the edge of ~~any building or other occupied space~~ the nearest residential property line.

(14) ~~A Marijuana Indoor or Outdoor Cultivation shall comply in every respect with the requirements 935 CMR 500.110(6) which regulates "Security and Alarm Requirements for Marijuana Establishments Operating Outdoors."~~

a) ~~Implement adequate security measures to ensure that outdoor areas are not readily accessible to unauthorized individuals and to prevent and detect diversion, theft or loss of Marijuana which shall at a minimum, include:~~

b) ~~Marijuana not grown inside a securable structure shall be enclosed within a minimum of eight (8) foot opaque perimeter security fence to prevent unauthorized entry to the cultivation facility with signs notifying observers that it is a Limited Access Area.~~

c) ~~Commercial grade, nonresidential locks;~~

d) A security alarm system that shall be continuously monitored, whether electronically, by a monitoring company or other means determined to be adequate by the Commission; and provide an alert to designated employees of the Marijuana Establishment within five minutes after a notification of an alarm or a system failure, either by telephone, email, or text message;

e) Video cameras at all points of entry and exit and in any parking lot which shall be directed at all safes, vaults, sales areas, and areas where Marijuana is cultivated, harvested, processed, prepared, stored, handled, transferred or dispensed and for the purpose of securing cash. Cameras shall be angled so as to allow for the capture of clear and certain identification of any person entering or exiting the Marijuana Establishment or area;

f) 24 hour recordings from all video cameras that are available for immediate viewing by the Commission on request and that are retained for at least 90 calendar days. Recordings shall not be destroyed or altered, and shall be retained as long as necessary if the Marijuana Establishment is aware of a pending criminal, civil, or administrative investigation for which the recording may contain relevant information;

g) The ability to immediately produce a clear, color still image whether live or recorded;

h) A date and time stamp embedded in all recordings, which shall be synchronized and set correctly at all times and shall not significantly obscure the picture;

i) The ability to remain operational during a power outage; and

j) A video recording that allows for the exporting of still images in an industry standard format, including .jpg, .bmp, and .gif. Exported video shall have the ability to be archived in a proprietary format that ensures authentication of the video and guarantees that no alteration of the recorded image has taken place. Exported video shall also have the ability to be saved in an industry standard file format that may be played on a standard computer operating system. All recordings shall be erased or destroyed prior to disposal;

k) All security system equipment and recordings shall be maintained in a secure location so as to prevent theft, loss, destruction and alterations.

l) In addition to the requirements listed in 925 CMR 500.110(4)(a) and (b) the Marijuana Establishment shall have a back up alarm system, with all capabilities of the primary system, provided by a company supplying commercial grade equipment, which shall not be the same company supplying the primary security system or shall demonstrate to the Commission's satisfaction alternate safeguards to ensure continuous operation of a security system

m) Access to surveillance areas shall be limited to persons that are essential to surveillance operations, Law Enforcement Authorities acting within their lawful jurisdiction, police, and fire departments, security system service personnel and the Commission. A current list of authorized employees and service personnel that have access to the surveillance room must be available to the Commission on request. If the surveillance room is on-site of the Marijuana Establishment, it shall remain locked and shall not be used for any other function.

n) All security equipment shall be in good working order and shall be inspected and tested at regular intervals, not to exceed 30 calendar days from the previous inspection and test. o) Security plans and procedures shared with Law Enforcement Authorities pursuant to 925 CMR 500.110(1)

~~e) shall include: a description of the location and operation of the security system including the location of the central control on the Premises, a schematic of security zones, the name of the security alarm company and monitoring company, if any, a floor plan or layout of the facility in a manner and scope as required by the municipality; and a safety plan for the manufacture and production of marijuana products as required pursuant to 935 CMR 500.101(1)(d)3.c.~~

~~p) Each licensee shall file an emergency response plan with the Greenfield Fire and Police Department~~

(14) All Marijuana establishments shall comply in every respect with the requirements 935 CMR 500.110 which regulates "Security Requirements for Marijuana Establishments".

(15) No Outdoor Marijuana Cultivation establishment shall allow cultivation, processing, manufacture, sale, or display of marijuana or marijuana products to be visible from a public place without the use of binoculars, aircraft, or other optical aids.

~~(16) An Indoor or Outdoor Marijuana Cultivation shall be ventilated in such a manner that no odor from marijuana or its processing can be detected by a person with an unimpaired and otherwise normal sense of smell at any exterior boundary line of the cultivation property or at any adjoining use or property. Outdoor cultivation of marijuana will implement industry best practice to eliminate any noticeable trace of marijuana odor at the perimeter of the property of the cultivation site.~~

No marijuana cultivation facility, indoor or outdoor, shall create a "nuisance" to areas surrounding its premises and to adjacent properties. Nuisance includes odors emanating from an outdoor or an indoor cultivation. An Indoor or Outdoor-marijuana cultivation shall be ventilated and an outdoor marijuana cultivation shall be managed in such a manner that no odor from marijuana or its processing can be detected by a person with an unimpaired and otherwise normal sense of smell at any exterior boundary line of the cultivation property, or at the property line of any adjoining use or property. The exhaust system to control odor shall be designed by a licensed professional air quality/environmental engineer recognized by the Commonwealth. Outdoor cultivation of marijuana will implement industry best practice to eliminate any noticeable trace of marijuana odor at the perimeter of property of the cultivation site. Any property owner may file an odor complaint by filing a report with the city Board of Health for investigation. The Board shall have jurisdiction to regulate and control odors. The Board of Health shall ensure that emissions do not violate M.G.L. Chapter 111, Section 31C, including but not limited to those specified for Odors. Marijuana cultivators found to be in violation of an order by the Board of Health shall be subject to the provisions of Chapter 111, Section 31C.

(17) Lighting from any Indoor or Outdoor Marijuana Cultivation shall not extend beyond property lines. Artificial lighting from within ~~gate~~any building(s) shall not create light pollution.

(18) All applications for a special permit for marijuana cultivation must include a water management plan, submitted ~~and underwritten~~ by the applicant. It shall be prepared by an independent ~~contractor~~qualified hydrogeologist or other qualified professional who is approved by the city. The plan will then be reviewed by the DPW Director. It must demonstrate that water usage at full capacity will not adversely impact the public water supplies of the City. Said Water Management Plan shall also include recommending best management practices, including mandating the metering of water usage on all cultivations, practices to reduce and recycle water usage to accommodate various levels of drought, and other proposed mechanisms to minimize adverse

impacts on the city's water supplies and/or the existing private wells in use in the City and/or adjoining municipalities.

The Greenfield Zoning Ordinance, Chapter 200, is hereby further amended in section 200-7.17 (F) Special Permit Requirements for all Marijuana Establishments by adding the following new subsections after subsection F(1g):

F. Special Permit Requirements

- (1) In addition to the application requirements set forth in Section E of this Ordinance, a special permit application for a Marijuana Establishment shall include the following:

- ~~(h) Proximity to other licensed marijuana uses to prevent clustering.~~
- ~~(hi) Relationship to surrounding uses to avoid unnecessary exposure to minors.~~
- ~~(ijh) Site design and other development related site impacts.~~
- ~~(ihi) Liability Insurance Coverage or Maintenance of Escrow as required in 935 CMR 500(10)~~

The Greenfield Zoning Ordinance, Chapter 200, is hereby further amended in section 200-7.17 (F) Special Permit Requirements, by adding, after subsection (2)(c) Mandatory Findings, the following new subsections:

- (2) Mandatory Findings. The Special Permit Authority shall not issue a special permit for a Marijuana Establishment unless it finds that:

- ~~(kd) the marijuana cultivation is consistent with, and compatible with, the character of the neighborhood, including the project's visual consistency and compatibility with surrounding uses.~~
- ~~(ke) the applicant has demonstrated with evidence-based research that the site design and other development-related site impacts from a marijuana cultivation will not have an adverse impact on the property values of existing surrounding properties.~~
- ~~(mf) the marijuana cultivation, indoor or outdoor, has been designed so as not to create a nuisance to surrounding premises and to adjacent properties caused by odors emanating from the cultivation. No odor from a marijuana cultivation or its processing shall be detected by a person with an unimpaired and otherwise normal sense of smell at any exterior boundary line of the cultivation property, or at the property line of any adjoining use or property. An outdoor cultivation of marijuana has demonstrated that it will implement industry best management practices to eliminate any noticeable trace of marijuana odor at the perimeter of property of the cultivation site. The exhaust system to control odor has been designed by a licensed professional air quality/environmental engineer recognized by the Commonwealth.~~
- ~~(ng) the Water Management Plan produced for the marijuana cultivation under section 200-7.17 (E) demonstrates that the cultivation will not adversely impact the public water supplies of the city, and/or adjoining municipalities, nor the existing private wells in use in the City and/or adjoining municipalities.~~

**PROPOSED AMENDMENT TO THE GREENFIELD ZONING ORDINANCE
AMENDING SECTION 200-7.17 – MARIJUANA ESTABLISHMENTS
October 21, 2022**

Note: Text with a ~~strikethrough~~ is text to be deleted, *black bold italic* text is newly proposed text.

Amend the Greenfield Zoning Ordinance Chapter 200, Article II, Definitions, Section 200-2.1B Terms and Words, by adding after the term “Marijuana Cultivator,” the following new terms:

***MARIJUANA CULTIVATION, INDOOR** -- An indoor marijuana cultivation shall be within a fully enclosed and secured space within a building envelope that complies with the Massachusetts Building Code and the Greenfield Building Code. A fully enclosed space shall have a complete opaque roof, a foundation, slab or equivalent base, to which the floor is secured by bolts or similar attachments, and is secure against unauthorized entry. The building shall be accessible only through one or more lockable doors, with walls and roofs constructed of solid materials such as two inch by four inch or thicker studs overlaid with three-eighths inch or thicker plywood or the equivalent. Plastic sheeting, regardless of gauge, or similar products shall not satisfy this requirement. An indoor cultivation shall be allowed to cultivate plants under artificial lighting and shall maintain a climate-controlled environment capable of regulating light, heat, water, nutrition, and pests. An indoor cultivation shall have a ventilation and filtration system that prevents marijuana plant odors from exiting the interior of the structure. For the purpose of this ordinance, neither a greenhouse nor a hoop house shall be considered a fully enclosed and secured space within a building envelope.*

***MARIJUANA CULTIVATION, OUTDOOR** -- An outdoor cultivation shall be any location that is not within a fully enclosed and secure space within a building, as contained in the definition of an indoor cultivation. Outdoor cultivation means the cultivation of mature Cannabis without the use of artificial lighting in the Canopy area at any point in time. Artificial lighting is permissible only to maintain immature or vegetative mother plants.*

The Greenfield Zoning Ordinance, Chapter 200, is hereby further amended in section 200-7.17 (E) General requirements and Conditions for all Marijuana Establishments by adding after subsection (12) the following new subsections:

(13) No Marijuana Outdoor Cultivation in the RC zone shall be located within a distance of 400 feet from the nearest residential property line as measured in a straight line as the shortest distance from the edge of the marijuana canopy to the edge of nearest residential property line.

(14) All Marijuana establishments shall comply in every respect with the requirements 935 CMR 500.110 which regulates “Security Requirements for Marijuana Establishments”.

(15) No Outdoor Marijuana Cultivation establishment shall allow cultivation, processing, manufacture, sale, or display of marijuana or marijuana products to be visible from a public place without the use of binoculars, aircraft, or other optical aids.

(16) No marijuana cultivation facility, indoor or outdoor, shall create a “nuisance” to areas surrounding its premises and to adjacent properties. Nuisance includes odors emanating from an outdoor or an indoor cultivation. An indoor marijuana cultivation shall be ventilated and an outdoor marijuana cultivation shall be managed in such a manner that no odor from marijuana or its processing can be detected by a person with an unimpaired and otherwise normal sense of smell at any

exterior boundary line of the cultivation property, or at the property line of any adjoining use or property. The exhaust system to control odor shall be designed by a licensed professional air quality/environmental engineer recognized by the Commonwealth. Outdoor cultivation of marijuana will implement industry best practice to eliminate any noticeable trace of marijuana odor at the perimeter of property of the cultivation site. Any property owner may file an odor complaint by filing a report with the city Board of Health for investigation. The Board shall have jurisdiction to regulate and control odors. The Board of Health shall ensure that emissions do not violate M.G.L. Chapter 111, Section 31C, including but not limited to those specified for Odors. Marijuana cultivators found to be in violation of an order by the Board of Health shall be subject to the provisions of Chapter 111, Section 31C.

(17) Lighting from any Indoor or Outdoor Marijuana Cultivation shall not extend beyond property lines. Artificial lighting from within any building(s) shall not create light pollution.

(18) All applications for a special permit for marijuana cultivation must include a water management plan, submitted by the applicant. It shall be prepared by an independent qualified hydrogeologist or other qualified professional who is approved by the City. The plan will then be reviewed by the DPW Director. It must demonstrate that water usage at full capacity will not adversely impact the public water supplies of the city. Said Water Management Plan shall also include recommending best management practices, including mandating the metering of water usage on all cultivations, practices to reduce and recycle water usage to accommodate various levels of drought, and other proposed mechanisms to minimize adverse impacts on the city's water supplies and/or the existing private wells in use in the City and/or adjoining municipalities.

The Greenfield Zoning Ordinance, Chapter 200, is hereby further amended in section 200-7.17 (F) Special Permit Requirements for all Marijuana Establishments by adding the following new subsections after subsection F(1g):

F. Special Permit Requirements

(1) In addition to the application requirements set forth in Section E of this Ordinance, a special permit application for a Marijuana Establishment shall include the following:

- (h) Site design and other development related site impacts.*
- (i) Liability Insurance Coverage or Maintenance of Escrow as required in 935 CMR 500(10)*

The Greenfield Zoning Ordinance, Chapter 200, is hereby further amended in section 200-7.17 (F) Special Permit Requirements, by adding, after subsection (2)(c) Mandatory Findings, the following new subsections:

(2) Mandatory Findings. The Special Permit Authority shall not issue a special permit for a Marijuana Establishment unless it finds that:

- (d) the marijuana cultivation is consistent with, and compatible with, the character of the neighborhood, including the project's visual consistency and compatibility with surrounding uses.*
- (e) the applicant has demonstrated with evidence-based research that the site design and other development-related site impacts from a marijuana*

cultivation will not have an adverse impact on the property values of existing surrounding properties.

- (f) the marijuana cultivation, indoor or outdoor, has been designed so as not to create a nuisance to surrounding premises and to adjacent properties caused by odors emanating from the cultivation. No odor from a marijuana cultivation or its processing shall be detected by a person with an unimpaired and otherwise normal sense of smell at any exterior boundary line of the cultivation property, or at the property line of any adjoining use or property. An outdoor cultivation of marijuana has demonstrated that it will implement industry best management practices to eliminate any noticeable trace of marijuana odor at the perimeter of property of the cultivation site. The exhaust system to control odor has been designed by a licensed professional air quality/environmental engineer recognized by the Commonwealth.*
- (g) the Water Management Plan produced for the marijuana cultivation under section 200-7.17 (E) demonstrates that the cultivation will not adversely impact the public water supplies of the city, and/or adjoining municipalities, nor the existing private wells in use in the City and/or adjoining municipalities.*

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____ :
Second by Councilor _____ :

The City Council,

Moved that it be ordered,

THAT THE CITY COUNCIL OF GREENFIELD AMEND THE ZONING MAP TO REZONE THE FOLLOWING PARCELS ON FRENCH KING HIGHWAY FROM GENERAL COMMERCIAL (GC) TO PLANNED INDUSTRY (PI): 132-2, R04-31, R04-33, R04-34, R04-36, R04-40, R04-41, R04-42, R04-44, R04-53 AND R05-23. (SEE ATTACHED MAP)

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 CITY OF GREENFIELD.

Two/Thirds (2/3) Vote Required (9)

Vote by February 15, 2023

Explanation of supporting rationale:



Rorann Wedegartner
Mayor

City of
GREENFIELD, MASSACHUSETTS

PLANNING AND DEVELOPMENT

PLANNING BOARD

City Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1549 • eric.twarog@greenfield-ma.gov • www.greenfield-ma.gov

TO: Sheila Gilmour, City Council President
Members of the Greenfield City Council

FROM: Charles Roberts, Chairperson, Planning Board

DATE: September 16, 2022

RE: Planning Board initiation of the proposed Zoning Map Amendment for French King Highway from General Commercial (GC) to Planned Industry (PI).

At its September 15, 2022 meeting, the Planning Board, after careful consideration and deliberation, took the following vote to initiate the attached proposed Zoning Map amendment to rezone the following parcels on French King Highway from General Commercial (GC) to Planned Industry (PI): 132-2, R04-31, R04-33, R04-34, R04-36, R04-40, R04-41, R04-42, R04-44, R04-53, and R05-23.

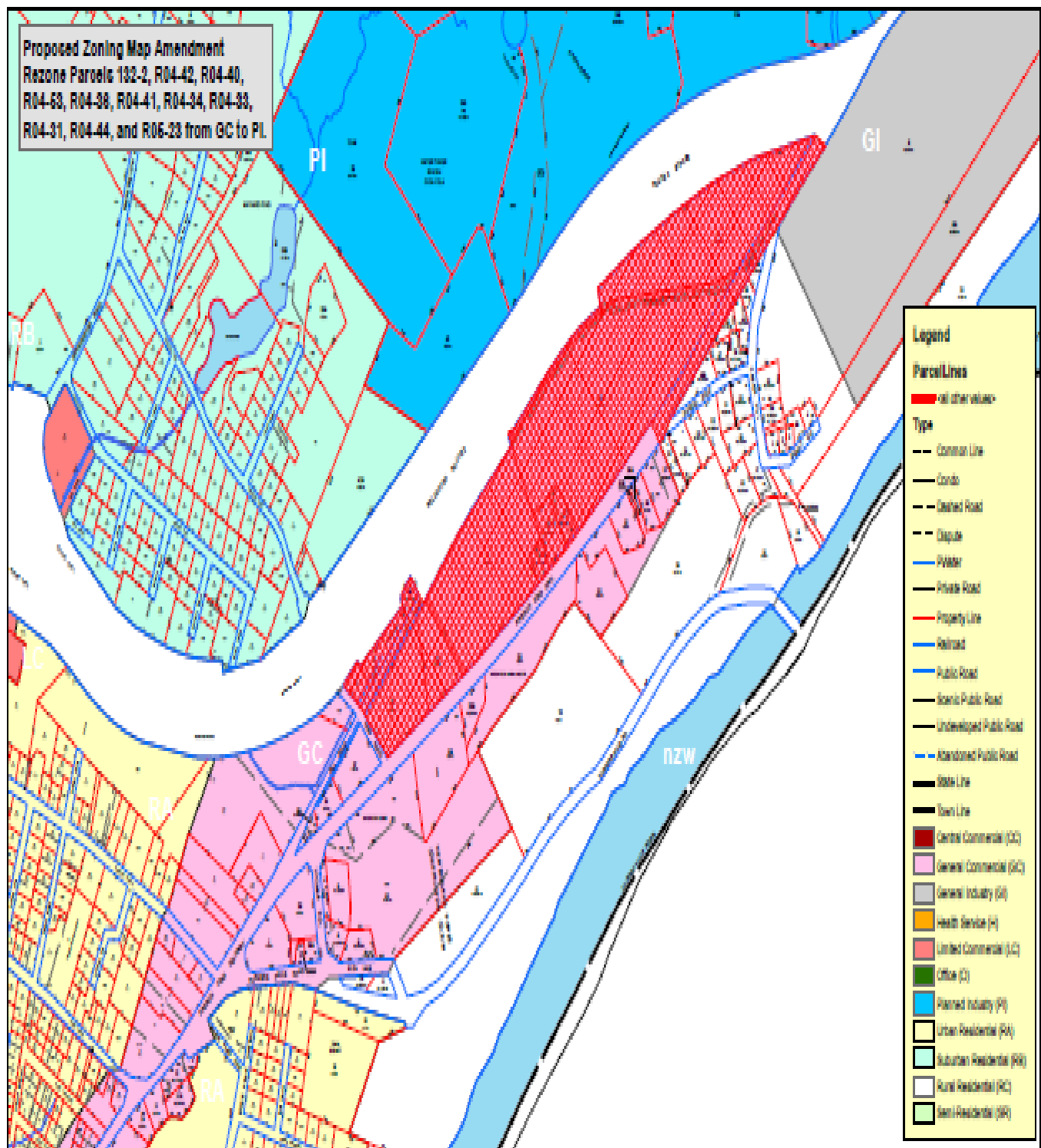
MOTION: Moved by Toulountzis, seconded by Chichester, and voted 4:0:0 to forward the proposed Zoning Map Amendment to rezone the following parcels on French King Highway from General Commercial (GC) to Planned Industry (PI): 132-2, R04-31, R04-33, R04-34, R04-36, R04-40, R04-41, R04-42, R04-44, R04-53, and R05-23 to the City Council to initiate the Zoning Amendment process.

Respectfully submitted,
Charles Roberts
Chairperson, Planning Board

Attachment – Proposed Zoning Map Amendment



*The City of Greenfield is an Affirmative Action/Equal Opportunity Employer,
a designated Green Community and a recipient of the "Leading by Example" Award*

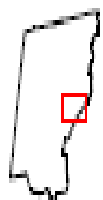


Prepared by: Dept. of Planning & Development
 Data Sources: City of Greenfield & MassGIS
 July 25, 2022

330 165 0 330 Feet



**Proposed Rezoning from
 General Commercial (GC) to Planned Industry (PI)**





Roxann Wedegartner
Mayor

City of
GREENFIELD, MASSACHUSETTS

PLANNING AND DEVELOPMENT

PLANNING BOARD

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Phone 413-772-1549 • eric.twarog@greenfield-ma.gov • www.greenfield-ma.gov

TO: Sheila Gilmour, City Council President
Members of the Greenfield City Council

FROM: Charles Roberts, Chairperson, Planning Board

DATE: November 21, 2022


RE: Planning Board deliberation on the proposed Zoning Map Amendment for a portion of the French King Highway from General Commercial (GC) to Planned Industry (PI).

At its November 17, 2022 meeting, the Planning Board, after careful consideration and deliberation, took the following vote relative to the proposed Zoning Map Amendment to rezone a portion of the French King Highway from General Commercial (GC) to Planned Industry (PI):

MOTION: Moved by Toulountzis, seconded by Hussey, and voted 4:0:0 to forward a positive recommendation to the City Council on the proposed Zoning Map amendment to rezone the following parcels on the French King Highway from General Commercial (GC) to Planned Industry (PI): 132-2, R04-42, R04-40, R04-53, R04-36, R04-41, R04-34, R04-33, R04-31, R04-44, and R05-23.

Respectfully submitted,
Charles Roberts
Chairperson, Planning Board

Attachments: Proposed Zoning Map Amendment



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a designated Green Community and a recipient of the "Leading by Example" Award*

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____ :
Second by Councilor _____ :

The City Council,

Moved that it be ordered,

THAT THE GREENFIELD CITY COUNCIL AMENDS THE CODE OF THE CITY OF GREENFIELD CHAPTER 408: VEHICLES AND TRAFFIC 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.

Majority Vote Required

Vote:

Explanation of supporting rationale:

Excerpt from October 12, 2022, A & O meeting for recommendations:

DISCUSSION: DPW Director Warner noted that under 408-5 A: Parking Lots, the Fire Station Lot would be removed due to the new Library currently being constructed in that lot. Other comments included:

- Chief of Staff Danielle Letourneau sent notification to the Committee members stating that most of the language was out dated and suggested that the name of the parking lots would not be listed by name.
- Enforcement of time limits for parking in those lots.
- Suggestion to use language “maximum parking limits are posted at the entrance of the lot,” [paraphrase] in place of naming individual lots and time limits for parking.
- Chairperson Guin suggested that the Committee recommend an offering to go forward to full Council to accept the proposed language as suggested. In the meantime, the Council could receive a full update from Director Warner and Chief of Staff Letourneau.

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

VOTED: TO AMEND 408-5 TO READ “MAXIMUM PARKING LIMITS ARE POSTED IN THE LOTS. RATES FOR EACH APPROVED LOT ARE ANNUALLY SET BY THE MAYOR.”

Order No. FY23-044 as amended was on the floor.

DISCUSSION: It was noted that section 408-6: Parking Permits, also lists the parking lots individually; however, that would be a requirement due to application for parking permits as opposed to metered parking.

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

VOTED: TO AMEND 408-6: PARKING PERMITS, BY STRIKING THE FIRE STATION LOT FROM THE LIST.

It was unanimously,

VOTED: TO FORWARD A POSITIVE RECOMMENDATION AS AMENDED.

Chapter 408. Vehicles and Traffic

Global Changes

Change “Town” to “City”

§ 408-4. Metered spaces.

- A. The maximum parking time in all metered spaces is two or four hours, depending on the location. “Feeding” the meter past ~~two hours~~ the maximum time is not allowed.
- B. Meters accept nickels, dimes and quarters. Rates are annually set by the Mayor and kept on file in the Mayor’s office.
- C. Only United States currency may be used in parking meters; other currency will not register.
- D. Parking regulations are enforced Monday through ~~Saturday~~ Friday from 8:00 a.m. to ~~65~~:00 p.m. ~~Sundays-Weekends~~ and legal holidays (holidays on which municipal offices are closed) are excluded.

§ 408-5. Parking lots.

- A. Locations. Kiosks are used in ~~Town~~ City parking lots with the exception of the Pleasant Street Lot, which is permit parking only. Maximum parking limits are as follows. Rates for each lot are annually set by the Mayor.

Lot	Maximum Time (hours)
Ames Street Lot	4
Chapman and Davis (C and D) Lot	10
Fire Station Lot	4
Fiske Avenue <u>Lot</u>	2
Hope Street Lot	10
Legion Lot	4
Miles Street Lot	4
Olive Street Lot	4
Pleasant Street Lot	10 <u>No time limit</u>
Town Hall (rear) Lot	4

- B. The kiosks will accept nickels, dimes, quarters, debit cards and major credit cards. Only United States currency can be used; other currency will not register.

C. No parking is allowed between the hours of 1:00 a.m. and 6:00 a.m. from December 1st to

April 1st. Year round overnight parking is only allowed in designated areas.

§ 408-6. Parking permits.

- A. Parking permits may be purchased as set forth below for use in all Town-owned parking lots, except the Fiske Avenue lot.
- B. Long-term parking permits are available on a quarterly and annual basis for companies located in the Greenfield downtown area as well as individuals who work in the downtown area.
- C. Permit parking is not allowed in the Fiske Avenue lot or in any metered spaces. Permitted parking is available in all other lots regardless of the hourly parking limits in those lots. A list of the lots is as follows:
- Ames Street Lot
 - Chapman and Davis (C and D) Lot
 - Fire Station Lot
 - Hope Street Lot
 - Legion Lot
 - Miles Street Lot
 - ~~Olive Street Lot~~
 - Pleasant Street Lot
 - Town Hall (rear) Lot
- D. Parking regulations are enforced Monday through ~~Saturday~~ Friday from 8:00 a.m. to ~~65~~:00 p.m. ~~Sundays Weekends~~ and legal holidays (holidays on which municipal offices are closed) are excluded.
- E. Permits can be purchased at the Greenfield Collector's Office at Town Hall, 14 Court Square, Greenfield, Monday through Friday from 8:30 a.m. to 5:00 p.m. Applicants should bring their vehicle registration or a copy of the registration into the Collector's Office when applying for the permit. The ~~annual~~ rates are set annually by the Mayor.
- F. ~~Payment must be made with cash or check. Debit and credit cards are not accepted. Payment can be made with cash, check, debit card or major credit card.~~ If permits are being purchased in bulk, the purchaser must provide the name and plate number(s) of individuals for whom they are purchasing permits. The bulk purchaser shall provide the Collector with one check payment for the purchase and the name and contact information of the person representing the bulk purchaser.
- G. Permits may be purchased individually for a minimum of three months at a rate per month. The rate is set annually by the Mayor.
- H. Annual permits will run from January through December.
- I. Refunds will be issued for full months only and only upon surrendering of the permit.
- J. The permit holder is responsible for the permit. Lost permits will be replaced at a cost of \$5.
- K. Permits are not transferable. If individuals typically drive different vehicles to work, they need to provide all vehicle plate numbers to the Collector's office at the time of application.

L. Permits must be hung from the rear-view mirror. The hang-tag must be removed prior to driving the vehicle. If the tag is not removed, the driver may be ticketed for having an obstructed windshield.

M. Year-round overnight parking is only allowed in designated spaces in the C and D Lot and Hope Street Lot.

N. Violation of these guidelines will result in the standard parking ticket for the first offense.
Revocation of the permit may also be a consequence.

O. Monthly permits are available for the parking garage. Please see the City website.

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____ :

Second by Councilor _____ :

The City Council,

Upon recommendation of Mayor Wedegartner

An Order Amending the Code of the City of Greenfield

Move that it be ordered, that the Greenfield City Council amend the code of the City of Greenfield Chapter 381- Stormwater Management as written in the strikethrough attached hereto.

§ 381-7. Classes of Permit applications; fees; additional approvals required, A. (1) Residential, strike “The permit and application fee shall be \$25, payable to the Town of Greenfield”; A. (2) Nonresidential, strike “The permit and application fee shall be \$100, payable to the Town of Greenfield”; B. strike “his” and replace with “their”, add “Permit” and “shall be set by the Mayor and”; C. after “excavation” add “/trench”, strike (Street opening permit), strike “or”, and add “or on private property”.

And further amend the code, Chapter 381 with the following Global Changes:

- Change “Town” to “City”
- Change “Superintendent” to “Director”

And further amend the index of the code, and further that no substantive 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.

Majority vote required (7)

VOTE:

Explanation of supporting rationale:

Chapter 381. Stormwater Management

Global Changes

Change “Town” to “City”

Change “Superintendent” to “Director”

§ 381-7. Classes of permit applications; fees; additional approvals required.

- A. There shall be two classes of stormwater connection permit applications:
- (1) Residential. This includes all single- and two-family individual dwelling units, not including subdivisions. ~~The permit and application fee shall be \$25, payable to the Town of Greenfield.~~
 - (2) Nonresidential. This includes all multifamily dwellings, subdivisions, commercial, industrial and institutional uses. ~~The permit and application fee shall be \$100, payable to the Town of Greenfield.~~
- B. The application form shall be signed by the owner of the property or by ~~his~~ their authorized representative. Permit Fees shall be set by the Mayor and are nonrefundable. Applications may be transferred to a new owner with permission of the DPW.
- C. In addition to the stormwater connection permit, the owner must obtain an ~~excavation~~ trench permit ~~(street opening permit)~~ from the DPW where subsurface work is to be done on public property, ~~or~~ within the public way or on private property.
- D. Contact DIG SAFE 1-888-344-7233 for utility notification.

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CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____ :

Second by Councilor _____ :

The City Council,

Upon recommendation of Mayor Wedegartner

An Order Amending the Code of the City of Greenfield

Move that it be ordered, that the Greenfield City Council amend the code of the City of Greenfield Chapter 400 – Trees, Attachment 3 – List of Approved Trees for City Planting as follows:

§ 400 Town of Greenfield Appendix C List of Approved Trees for Town Street Planting, strike entire page and replace with new attachment 3 “Appendix C List of approved Trees for City Street Planting”, attached hereto,

And further amend the index of the code, and further that no substantive 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.

Majority vote required (7)

VOTE:

Explanation of supporting rationale:

Appendix C List of Approved Trees for **Town** Street Planting – **To be stricken.**

Appendix C List of Approved Trees for **City** Street Planting – **Replacement.**

TREES

400 Attachment 3

Town of Greenfield

Appendix C

List of Approved Trees for Town Street Planting

This list is a guide and the Town may add or delete species as needed. No tree identified as an “invasive-species” by local, state or federal agencies shall be planted under any circumstances.

Large Trees 40’ to 80’

- Red Maple: October Glory or Red Sunset
- ❖ European Hornbeam
- ❖ Honeylocust
- ❖ Ginkgo
- ❖ Tulip tree
- ❖ Red Oak, Pin Oak, Swamp White Oak
- ❖ American Elm (resistant)
- ❖ Zalkova
- ❖ Little Leaf Linden
- ❖ London Plaintree
- ❖ Hackberry
- ❖ Black Tupelo
- ❖ Sweetgum

Medium Trees 30’ to 40’

- ❖ Hedge Maple
- ❖ Golden Raintree
- ❖ Honeylocust (medium size cultivar)

Small Trees under 30’

- ❖ Serviceberry
- ❖ Crabapple
- ❖ Hawthorn
- ❖ Japanese Lilac
- ❖ Amur Maple

TREES
400 Attachment 3
City of Greenfield

Appendix C List of Approved Trees for City Street Planting

This list is a guide and the City may add or delete species as needed. No tree identified as an “invasive-species” by local, state or federal agencies shall be planted under any circumstances.

Large Trees 40’ to 80’

- Elm, American (*Ulmus americana*) (Dutch elm disease resistant)
- Ginkgo (*Ginkgo biloba*)
- Hackberry, American (*Celtis occidentalis*)
- Honeylocust (*Gleditsia triacanthos*)
- Linden, American (*Tilia americana*) – ‘Boulevard’ is a good cultivar for narrow sites
- London Planetree (*Platanus × acerifolia*)
- Maple, Red (*Acer rubrum*) ‘October Glory’, ‘Red Sunset’ or other cultivars. If used in narrow sites, cultivars such as ‘Red Pointe’ and ‘Scarlet Sentinel’
- Oak, Red (*Quercus rubra*)
- Oak, Pin (*Quercus palustris*)
- Oak, Swamp White (*Quercus bicolor*)
- Tulip poplar (*Liriodendron tulipifera*)
- Tupelo tree (Black Gum) (*Nyssa sylvatica*)
- Sweetgum (*Liquidambar styraciflua*)

Medium Trees 30’ to 40’

- Elm, American (*Ulmus americana*) - cultivar such as ‘Jefferson’
- Honeylocust (*Gleditsia triacanthos*) - cultivars such as ‘Impcole’ or ‘Street Keeper’
- Linden, American (*Tilia americana*) - cultivars such as ‘Legend’, ‘Lincoln’ or ‘Redmond’
- Maple, Red (*Acer rubrum*) –cultivars such as ‘Brandywine’ and ‘October Brilliance’

Small Trees under 30’

- Crabapple (*Malus spp.*) (smaller cultivars such as ‘Red Jewel’, ‘Adirondack’, ‘Golden Raindrops’, ‘Prairie Fire’ and others)
- Serviceberry (*Amelanchier spp.*)
- Hawthorn, Green (*Crataegus viridis*)
- Hophornbeam aka Ironwood (*Ostrya virginiana*)
- Hornbeam (Muscledwood) (*Carpinus caroliniana*)
- Redbud, Eastern (*Cercis canadensis*)
- Yellowwood (*Cladrastis kentukea*)

CITY COUNCIL ORDER

City of GREENFIELD

MASSACHUSETTS

Councilor _____ :

Second by Councilor _____ :

The City Council,

Upon recommendation of Mayor Wedegartner and in accordance with MGL Ch.101 and Greenfield Home Rule Charter §6-9,

Move that it be ordered, that the Greenfield City Council amend the code of the City of Greenfield Under Part III General Legislation, by adding Chapter 410: Vendors, 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.

Vendors

§410-1 Definitions

Vendor – A person, business, or organization selling goods, food, beverages, or services, from a location other than a physical store or other fixed place of business, usually temporarily.

Host – a person, business, or organization responsible for renting, leasing, or granting use of space to a vendor. Hosts include, but may not be limited to, event organizers and those with a business license to operate at a physical store or other fixed place of business in Greenfield.

Short term – Vendors operating in Greenfield for seven days or fewer annually.

Long term – Vendors operating in Greenfield for more than seven days annually.

§410-2 Applicability

This ordinance applies to all vendors operating in the City of Greenfield, including ice cream truck vendors, and to all those hosting vendors. Exceptions are listed in §3-1.

This ordinance shall not apply to alcohol sales, which is regulated elsewhere [M.G.L. c. 138, 204CMR, Greenfield ordinance Chapter 209].

This ordinance is not meant to address door-to-door solicitation, which is regulated elsewhere [Greenfield ordinance Chapter 337].

This ordinance shall not apply to those telling fortunes for money, which is regulated elsewhere [M.G.L. c.140 §185I].

§410-3 License required

Vendors

Vendors operating at a location for which there is not a host or for a long term as defined in this ordinance must obtain a Greenfield vendor license from the Board of License Commissioners.

Ice cream truck vendors

All ice cream truck vendors are required to obtain a Greenfield vendor license from the Board of License Commissioners and to be licensed per M.G.L. c.270 §25 and 520CMR15.00.

Alcohol

The sale of alcoholic beverages requires a license from the Board of License Commissioners and is regulated elsewhere.

Fortune telling

The telling of fortunes for money requires a license from the Board of License Commissioners and is regulated elsewhere.

Hosts – Events for which an entertainment license is not required

Those hosting events with vendors at a location other than their regular fixed place of operation/business and who are not required to have an entertainment event license, must obtain a Greenfield vendor Show Host License from the Board of License Commissioners.

§410-3-1 Exceptions to Greenfield vendor license requirement

- (1) Any person selling farm products raised or produced by themselves or their family is not required to obtain a Greenfield vendor license.

- (2) Anyone who has a physical store or other fixed place of business in Greenfield and is operating at a temporary location for a short term is not required to obtain a Greenfield vendor license provided there is no zoning or other law prohibiting such activity. Vending on City property or public ways will require permission from the City. The City may require abutter approval for vending on public ways per M.G.L. c. 140 §50.
- (3) This ordinance does not apply to wholesalers selling to dealers, nor to commercial agents or others selling by sample, lists, catalogues or otherwise for future delivery.
- (4) Vendors operating under a written agreement with a promoter duly licensed per M.G.L. c.101 are not required to obtain a Greenfield vendor license.
- (5) Vendors licensed under M.G.L. c. 101 by the Division of Standards are not required to obtain a Greenfield vendor license, with the exception of door-to-door solicitors who do not need a Greenfield vendor license but are required to obtain a Greenfield solicitation license per Greenfield ordinance Chapter 337.

And other exceptions per M.G.L. c.101.

§410-4 Vendors selling at events

Vendors

Vendors operating for a short term at a location for which there is a host (i.e. entertainment event, craft fair, store front, restaurant, etc.) are not required to have a Greenfield vendor license. All vendors selling food, beverage, or other ingestibles must obtain all approvals and permits required by the Health Department, Fire Inspector if needed, or any other relevant inspectors. Vending on City property or public ways will require permission from the City. The City may require abutter approval for vending on public ways per M.G.L. c. 140 §50.

Event organizers / hosts

As far in advance of the event as is practicable the event organizer should submit information to the Board of License Commissioners regarding the date(s) and location of the event, and a list of all vendors who will be selling at the event. The list should include the name of the business, owner/vendor name, vendor/business contact information including address, phone, email, & website, and types of items being sold. This paragraph does not apply to promoters licensed under M.G.L. c. 101 by the Division

of Standards. Promoters should submit a copy of their promoter license prior to their event.

Those hosting an event with vendors at the host's regular fixed place of operation/business are not required to have a vendor Show Host License but should submit a list of vendors as stated in the previous paragraph. Hosts who are required to obtain an entertainment event license are not required to have a vendor Show Host License but should submit a list of vendors.

Farmers' markets

In keeping with M.G.L. c.101 §15, anyone selling farm products raised or produced by themselves or their family is not required to obtain a vendor license. Organizers of farmers' markets are not required to submit a list of farmers vending at the market but should submit a list of vendors selling non-farm products or services.

§410-54 Vendors selling at fixed places of business not owned or leased by the vendor

Vendors selling at fixed places of business not owned or leased by the vendor (i.e. art galleries, antique shops, etc.) are not required to have a Greenfield vendor license. The store owner should maintain a list of artists, crafters, or other vendors for a minimum of one year. The City reserves the right to request a copy of the list.

Owners of antique and other second hand shops are required to have a junk dealer license per Greenfield ordinance Chapter 282. Vendors selling merchandise in the store operating under the store owner's junk dealer license are not required to have a Greenfield vendor license.

Food trucks or other food vendors selling at an establishment for which a Common Victualler's license has been issued are not required to have a Greenfield vendor license. All food vendors must obtain all approvals and permits required by the Health Department, Fire Inspector if needed, or any other relevant inspectors. Vending on City property or public ways will require permission from the City. The City may require abutter approval for vending on public ways per M.G.L. c. 140 §50.

§410-6 Insurance

At the discretion of the City of Greenfield, vendors operating on City-owned property or within the public way may be required to maintain a comprehensive liability insurance policy in an amount to be determined by the City for the continuance of the license. The policy should name the City of Greenfield as an additional insured. This insurance requirement shall not apply for vendors operating at an event for which the event organizer has already satisfied this condition.

§410-7 License fees

Unless otherwise set by the Board of License Commissioners, the following is the fee schedule for vendors and hosts who require licenses:

Vendors – Vendor license

Vendors operating 1 – 3 days in a calendar year - \$10

Vendors operating 4 – 7 days in a calendar year - \$25

Vendors operating 8 or more days in a calendar year or annually/seasonally - \$75

Hosts – Vendor Show Host License

Event with 1 – 3 vendors - no fee

Event with 4 – 10 vendors - \$10

Event with 11 – 25 vendors - \$25

Events with 26 or more vendors - \$50

The vendor Show Host License fee does not apply if a host has obtained an entertainment license for the event.

Majority Vote Required

Vote:

Explanation of Supporting Rationale:

- Memo from Chief of Staff Dani Letourneau
- Town of Greenfield Vendor Regulations, currently in effect
- Answers to Questions regarding the new Vendors Ordinance



OFFICE OF THE MAYOR
ROXANN WEDEGARTNER

Mayor

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Phone 413-772-1560 • Fax 413-772-1519
Mayor@greenfield-ma.gov • www.greenfield-ma.gov

MEMO

TO: City Council President Sheila Gilmour

FROM: Dani Letourneau, Chief of Staff to Mayor Roxann Wedegartner

DATE: 10/24/2022

CC: City Council Vice President Dan Guin, Chair of Appointments and Ordinances, Mayor Wedegartner, Full City Council, Dept. Heads

RE: New Ordinance, Vendors

Dear Council President Gilmour,

Currently, the City regulates vendors by way of the “Town of Greenfield Vendor Regulations” created by the Board of License Commissioners many years ago. Over time, it has emerged that edits should be made to the regulation, and that these edits should be codified. I have worked closely on these edits with Licensing Clerk Lori Krikorian, who is a wealth of knowledge in City Hall.

The purpose of this proposed ordinance is to ensure that folks can sell their wares legally, and the public is protected from any unanticipated harm. This ordinance applies to businesses such as temporary outdoor sales kiosks, food trucks, and the like. These are often temporary microenterprises, with limited capital and sometimes traveling to Greenfield from far away. Streamlining the process for these folks, without jeopardizing the City residents’ health and safety, is the goal. We have regulations and ordinances for alcohol, for food and beverage, for fire safety, and there are rules requiring background checks in certain circumstances in other areas of the Code. The Commonwealth’s Division of Standards, under Chapter 101, also the ability to obtain a Massachusetts Promoter’s License (<https://www.mass.gov/how-to/promoter-license>) which further regulates the events these vendors are often a part of. That is to say, we

have tried give a break to businesses that are regulated elsewhere in the Code, in MGL, or with inspections.

We have added a definition and a license category for event Show Hosts, which would apply to larger events with multiple vendors, allowing the host to come before the Board of License Commissioners once, instead of calling in each individual vendor to an in-person (or zoom) monthly meeting.

I would be happy to attend the A&O meeting where this is discussed in order to explain more and give examples of some of the circumstances which propelled us to propose these changes.

Respectfully Submitted,

Dani Letourneau

add to
part III
Gen. Reg.



MGL.

Town of Greenfield Vendor Regulations

§1.0 Purpose

The purpose of these regulations is to clarify licensing requirements for vendors operating in the Town of Greenfield.

§2.0 Authority

These regulations are adopted under authority of Massachusetts General Laws c.101 and Town of Greenfield Home Rule Charter §6-9.

In accordance with M.G.L. c.101 and the Town of Greenfield Home Rule Charter §6-9, the Greenfield Board of License Commissioners is the licensing and regulatory authority of vendors and as such may make rules and regulations relative to the business of vendors, may provide supervision thereof, may make additional rules and restrictions particular to any vendor and said licenses may be revoked after a hearing for cause.

In accordance with M.G.L. c.101, the Board of License Commissioners may set reasonable license fees for vendors.

§3.0 Applicability

Any person or business, either principal or agent, who engages in exhibiting and selling or bartering for goods, wares, or merchandise, or services subject to tax under M.G.L. c.64H, which is conducted in a location other than a fixed place of business within Greenfield, is required to obtain a Town of Greenfield vendor license. Exceptions to this are listed in §6.0 below.

These regulations are not meant to address door-to-door solicitation, which is regulated elsewhere, in §124 of the Code of the Town of Greenfield.

§4.0 Definitions

Event organizer – The person responsible for renting, leasing, or granting use of space at a theatrical exhibition, public show, public amusement, or exhibition of any description, to any vendor for the display for sale or for the sale of tangible personal property or services subject to tax under M.G.L. c.64H. In the context of these regulations, "event" is not meant to include shows of vendors conducted by duly licensed Promoters.

Fixed place of business – A business that operates consistently from a specific physical store location, annually (or seasonally), during usual business hours, which is the time period during which similar businesses in the community conduct business.

Promoter – A person or business who operates for the purpose of either directly or indirectly renting, leasing, or granting a license to use space to any vendor for the display for sale or for the sale of tangible personal property or services subject to tax under M.G.L. c.64H. Examples of Promoters are those conducting antique shows, flea markets, craft fairs, comic book shows, or other vendor shows.

Vendor – A person or business, either principal or agent, who engages in exhibiting and selling or bartering for goods, wares, or merchandise, or services subject to tax under M.G.L. c.64H, which is conducted in a location other than a fixed place of business within the Commonwealth.

- a. Hawker / Pedler vendor – A person, either principal or agent, who engages in exhibiting and selling or bartering for goods, wares, or merchandise, or services subject to tax under M.G.L. c.64H, which is carried on either on foot or from any animal or vehicle, either from place to place in the same town or traveling from town to town.
- b. Transient vendor – A person, either principal or agent, who engages in a temporary or transient business in the Commonwealth, exhibiting and selling goods, wares, or merchandise, or selling services subject to tax under M.G.L. c.64H, which is carried on in any tent, booth, building, or other structure, either in one locality or in traveling from place to place. This shall not include a person operating under a written agreement with a licensed Promoter.

Vendor show – A show, the attraction of which is entirely or primarily vendors displaying for sale their goods, wares, merchandise, or services subject to tax under M.G.L. c.64H. Examples of vendor shows are flea markets, craft fairs, comic book shows, or the like.

Written operating agreement – A written agreement between a promoter, licensed under M.G.L. c.101 §3A, and a vendor to conduct business at any location.

§5.0 Requirements

- (1) Before commencing business in Greenfield, all vendors operating in the Town of Greenfield must obtain a Greenfield vendor license. All vendors must submit a copy of
 - a. Either their Massachusetts State Hawker / Pedler vendor license OR their Massachusetts State Transient vendor license;
 - b. Massachusetts sales and use tax registration
- (2) Additionally, no Greenfield vendor license will be issued until all underlying requirements have been satisfied, including any Health, Fire, Building, or other inspection permits, and any application or inspection fees due.
- (3) Event organizers must submit a list of vendors who will be operating at the event, along with the vendor contact information and types of items they will be vending, as far in

advance of the event as is practicable but a minimum of 30 days prior to the event. The Licensing Commissioners may accept additional applications for vendors closer to the date of the event, but the intent is to provide sufficient time for vendors to obtain their State licenses.

- (4) Promoters must submit a copy of their Promoter license issued by the Massachusetts Division of Standards Office of Consumer Affairs & Business Regulation a minimum of 14 days prior to the vendor show.

§6.0 Exceptions

The following exceptions to Greenfield vendor licensing requirements apply:

- (1) Any person or business with a fixed place of business within Greenfield that is open for business during usual business hours annually or seasonally who will be vending temporarily at a location in Greenfield other than their fixed place of business is not required to obtain a Greenfield vendor license.
- (2) Any person selling farm products raised or produced by themselves or their family is not required to obtain a Greenfield vendor license. The provisions of this regulation relating to vendors shall not apply to any person who peddles only fish obtained by his own labor or that of his family, fruits, vegetables or other farm products raised or produced by himself or his family, nor to persons licensed under M.G.L. c.94 §40 with respect to the sale by them of eggs, or milk, skimmed milk, cream, butter, cheese or other milk products, except frozen desserts as defined in M.G.L. c.94 §65G.
- (3) Any tradesperson who will be temporarily displaying goods for future sales or service is not required to obtain a Greenfield vendor license. The provisions of this regulation relating to vendors shall not apply to wholesalers or jobbers selling to dealers only, nor to commercial agents or other persons selling by sample, lists, catalogues or otherwise for future delivery, nor to any dealer regularly engaged in supplying customers with fuel oil for heating or cooking purposes from a fixed place of business within the Commonwealth and who does not customarily solicit direct sales from house to house or by means of outcry, sign or signal.
- (4) Vendors operating under a written agreement with a promoter duly licensed per M.G.L. c.101 §3A are not required to have a Greenfield vendor license.
- (5) In keeping with M.G.L. c.101 §24, any veteran who has a service-connected disability, and any blind person resident in the Commonwealth, who have obtained a special state vendor license is not required to have a Greenfield vendor license, provided however that such vendor may not vend on any public street or sidewalk unless and until they shall have received written authority to do so from the Chief of Police or his designee.
- (6) Vendors selling newspapers, religious publications, ice, flowering plants and such flowers, fruits, nuts and berries as may be wild or uncultivated provided however that the

Board of License Commissioner may regulate the sale or barter and the carrying for sale or barter or exposing therefore by vendors of such articles without the payment of a fee.

§7.0 Insurance

Any vendor operating on Town-owned land or within the public ways shall maintain a comprehensive liability policy in an amount to be determined by the Licensing Commissioners for the continuance of the license. The Town shall be notified in writing at least 15 days prior to any cancellation or change to such policy. Said policy shall (1) include the Town of Greenfield as an additional insured, (2) apply as primary insurance, (3) shall stipulate that no other insurance effected by the Town will be called on to contribute to a loss, and (4) if said policy is cancelled, terminated, suspended, or materially changed, the license shall be suspended until such time as compliance with the requirements of this section have been fully satisfied.

This insurance requirement shall not apply for vendors operating at an event for which the event organizer or show organizer has already satisfied this condition.

§8.0 Enforcement

The provisions of this regulation may be enforced by any available means in law or equity, including but not limited to all Massachusetts General Laws applying to vendors and enforcement by non-criminal disposition pursuant to M.G.L. c.40 §21D.

Any vendor operating without the required Greenfield vendor license, or any licensed vendor violating any provision of these regulations, the provisions of M.G.L. c.101, or any of the conditions of their license will be subject to a fine of not more than fifty dollars or by imprisonment for not more than two months, or both.

§10 Validity

If any section, paragraph, subdivision, clause, or provision of these regulations shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision so adjudged and the remainder of these regulations shall be deemed valid and in effect.



City of
GREENFIELD, MASSACHUSETTS



OFFICE OF THE MAYOR
ROXANN WEDEGARTNER
Mayor

City Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1560 • Fax 413-772-1519
Mayor@greenfield-ma.gov • www.greenfield-ma.gov

MEMO

TO: City Council President Sheila Gilmour

FROM: Dani Letourneau, Chief of Staff to Mayor Roxann Wedegartner

DATE: 10/24/2022

CC: City Council Vice President Dan Guin, Chair of Appointments and Ordinances, Mayor Wedegartner, Full City Council, Dept. Heads, S. Duclos

RE: New Ordinance, Vendors. This memo is in response to Stephanie Duclos email from 10:10 am on 12/14/2022, and also good background for A&O and Council

These are really good questions, from Ms. Duclos, and I am happy to answer. I was also contacted by Councilor Desorgher with some questions about the financials, so I will add that in here.

This is a proposal for a new ordinance. In 2020 when the council embarked on the code review process and I asked dept. heads to do a code review relative to their work. Lori K, licensing clerk, and I looked over all the ordinances that needed updating related to licensing, and also identified areas there was a practice/regulation/policy but no ordinance. We have discussed and worked on this vendor ordinance since 2020.

Current Process:

Currently we have regulations and they are hard to follow for the average. Let's say you are someone who has started making t-shirts and you sell them on Etsy. You work out of your house, and you have a normal life with other responsibilities, maybe another job for income. You hear that there is a call for craft vendors for a small one-off music festival at the Fairgrounds in Greenfield, MA. Currently (and in the past), you would need to contact the event host, and most likely pay them a fee to sell your wares at this festival.

The host has already come before licensing to get an entertainment license. Additionally the host has probably paid FCAS for the event space at the fairgrounds. FCAS is a private nonprofit and they use these rentals for revenue.

If you know the process in town or if the people hosting the event tell you the process, you, the t-shirt hobbyist, would then contact the licensing office and get an application for a one-day vendor license. That application has to be returned to the licensing clerk prior to the posting deadline (48 hours) for the next regularly scheduled licensing meeting (3rd Tuesday at 4), but BEFORE the event when you will be vending, and it is a meeting which you will be expected to attend.

The licensing clerk will then follow an internal checklist and process, with various dept. contacts, PD, etc. She has to make sure to get all comments back in time for the commissioner's packets or at least in time for the meeting. In spring and summer, this application may be mixed in with a lot of others that the licensing clerk is handling. This clerk is also handling liquor license applications, which have time frames dictated by MGL, motor vehicle dealer licenses, entertainment licenses, and things like utility poll petitions.


The host of the event probably already went through this, or is simultaneously going through this review for the larger event itself, at which point Public Safety will weigh in on fire and police presence, traffic, etc., and any fees that are related to that or any police details needed are paid by the event host.

Once all of that is done, you, the t-shirt crafter, will come to a Board of License Commissioner's Meeting, publicly sit in front of the board and verbally reiterate your plan to vend at this event, hopefully gaining approval.

If you miss the meeting deadline your options are to not vend, feign ignorance, or ask the licensing clerk if there is any other way.

The other way these are approved on occasion, is that the board chair will review and approve them outside of the normal meeting hours, and then the board will vote to confirm that approval at the next meeting.

Now, if you are a food vendor, the process has potentially two more steps. Let's say instead of t-shirts you are selling hot dogs, and you are cooking those dog dogs from a pull cart. If that is the case, you have to also get Health Inspections and Fire Inspections, which you are expected to schedule and pay for yourself. These are safety inspections and are critical to follow.



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a designated Green Community and a recipient of the "Leading by Example" Award*

Typically for a larger event such as the example, Health Inspectors will go to the event and do a walk through all at once, and during the process of the event itself going through the licensing dept., fire and police do the same.

The question we asked ourselves was “what is the point of the vendor license”? Is the process protecting health, safety, and consumers or is it to collect a small fee /gain revenue?

Financials and Q&Q:

Fees seem low. The proposed fees are based on the current fees schedule. We are not proposing a significant change at this time. If the A&O committee wanted to make changes, or pull the fee schedule out so it can be reviewed annually that is something we would be amenable to.

What are the fees for the use of the fair grounds for the events (the Grumpy cup, the Greenmind events, other marijuana events etc.)? The fairgrounds are private org and charge their rentals separately. The city does not have that information – The FCAS would have to provide that.

There are at least 20 vendors at these events. Are we charging each food truck & vendor a fee? In the past, yes we have charged every vendor a fee and asked them to individually come before the board of license commissioners for the license, as outlined above. I have numerous examples of events that have occurred and many vendors did NOT come to the licensing dept., and we had no way of knowing. Either the process was too arduous or the smaller vendors did not know they were supposed to come before the board. With the changes the responsibility would lie with the host, and there is a greater ease to comply, and this we would have the list of who was there.

For example, the fair is technically a vendor event, and though there are exemptions for agricultural vendors, many of the booths at the fair are NOT exempt, so technically they ALL should be coming before the board every year. Alternately, Green River Fest typically follows the current regulation to the letter, and it makes for an extremely busy season with all of those individual applications flying around for comments.

Incidentally, Agricultural orgs cannot get Ma State Promoter’s licenses, see below under “other background” for more on the promotor’s license.

Are we ONLY charging the host fee? Do we charge a host fee to Hawks & Reed? Hawks and Reed has an annual entertainment license, so under this ordinance that would allow them to be



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an event “host” as long as they renew that. This fee for this license is \$100 and it is renewed annually. AN establishment that does not have an annual entertainment license would need to get a vendor host license.

Who pays for the public safety & board of health inspections at these events? The event organizer and/or the vendors pay. Not the city. Typically the Fire Department will charge \$10 for an inspection of a food vendor at an event. If there is over 42lbs of propane we require a permit, \$50. The most important issue is having a permit for the propane with an inspection. Safety is the main concern of the FD.

The Health Dept. charges between \$50 and \$200 depending on the size of the food establishment, whether it is a cart or has seating, and if they are doing a one-off or want to have a seasonal or annual approval. The vendor pays this fee. I am including the health dept. fee schedule with this memo.

Who pays for the police presence or safety response to problems that occur at the events? Police Details are outlined in the collective bargaining agreements with the PD, and it currently states that outside details are \$55/hr., with a 4 hour minimum, and add \$2 per hour if alcohol is served at the event. This is paid for by the event host.

What is the cost borne by the city that are not being pushed back to the host? The only cost not being directly pushed back to the host is the cost of time for the administrative process in the licensing clerk’s time.


What are the regulations for the events & are they in conflict to the current laws or are the laws disregarded because they are called private events? Events on private property (ex: fairgrounds) are vetting through the same process, reviewed by PD and FD, and by DPW for traffic, etc. There is actually a checklist we follow internally. All local, state and federal laws are still applicable to private events like these.

Before approval if this change I think it’s imperative that the council takes a deeper look into the actual cost to city & where those funds go & how they are collected for these host sponsored events.

I completely agree, we have been doing an unofficial Cost/Benefit analysis on vendors. Here is the info:

Vendor Fees paid (not including annual vendor or entertainment fees, which would remain the same):

- 2017: \$1620



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- 2018: \$2145
- 2019: \$1840
- 2020: \$0
- 2021: \$1430
- 2022: \$2130

Time per vendor applications, according to the clerk “vendor applications take a long time, because they’re not always a regular business owner, so we have to do a lot of back and forth before the application is ready”.

The licensing dept. budget for the year is just under \$40,000 for wages and expenses. It is, in my opinion as the one who supervises the licensing clerk, that this is not protecting the health and safety of Greenfield and at ~\$25 / hour for the time; we are losing money processing all of these.

How does the town benefit by allowing such events to occur, unchecked & without incorporating the cost of the inspection & monitoring. Cost of inspections and monitoring are outlined above and are paid for by the event hosts.


Cost for fire inspection \$10-50, health inspections \$50-200, police details <\$220, Annual entertainment license (Ex: Hawks and Reed) is \$100 OR vendor host license under this ordinance \$10-\$50 per event, no more than \$100/year.

Incidentally, for events, tents over about 10’ square also require a building inspection and permit, and fees associated with that.

When the city responds to issues on site who is billed or do we just eat the cost to be “vendor or business” friendly? Depends on the issues. Public safety would have to answer this. This ordinance does not address this issue, nor does the current regulation.

New Process, under the proposed ordinance:

Event organizers would have to have an annual entertainment license OR come and get an event host license, fees outline in the ordinance. They would have to provide a list of vendors to the licensing office. The list and the one application would go through the internal vetting by Health, Fire, PD, DPW, and each vendor who serves food or cooks food would have to get the appropriate inspections.



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The city would receive a list, would ensure safety, perform proper inspections, and I predict would have greater compliance.

The event organizers would have to come before the Board of License Commissioners once, for approval or no approval.

Other background:

In 2010 Massachusetts legislature enacted something called a "Promotor's License" which is some of what we based this ordinance on. See the explanation here <https://www.mass.gov/how-to/promoter-license>, or under MGL Chpt 308.

Ice Cream Trucks are further regulated under MGL Chpt 270, section 25 <https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter270/Section25> (that chapter is called "crimes against public health")

Respectfully Submitted,

Dani Letourneau



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CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____ :

Second by Councilor _____ :

The City Council,
Moved that it be ordered,

THAT THE GREENFIELD CITY COUNCIL AMENDS THE CODE OF THE CITY OF GREENFIELD BY AMENDING CHAPTER 213 – ANIMALS, SECTION 3, LICENSE FEES, SUBSECTION: D. BY DELETING THE WORD “BY” AND REPLACING WITH “BEFORE” ; AND REPLACING THE WORD “AFTER” WITH “FOLLOWING”, AS FOLLOWS:

Chapter 213 – Animals, Section 3: License Fees

D. Should any owner or keeper fail to license a dog ~~by~~ **before** June 1, the owner or keeper shall pay a late charge of \$25 before obtaining said license, excepting:

(1) A dog brought into the Town as provided in MGL c. 140, § 138.

(2) When a State of Emergency has been declared by the State of Massachusetts.

This late fee shall be applicable after the 45th day ~~after~~ **following** the arrival of such dog.

AND FURTHER AMENDS THE 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 CITY OF GREENFIELD.

Majority Vote Required

Vote:

Explanation of supporting rationale:

Chapter 213

Animals

[HISTORY: Adopted by the City of Greenfield as amended 6-15-2011 by Order No. FY 11-104 (Ch. 17 of the 2002 Bylaws). Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Noise — See Ch. 311.

Parks and recreation facilities — See Ch. 322.

§ 213-1 **Scope; violations and penalties.**

A. This chapter is not intended to derogate or limit any powers, rights, or obligations set forth in MGL c. 140, but is in addition thereto.

B. The penalty fee imposed upon an owner or keeper of a dog which has violated this chapter shall be \$25 for the first offense, \$50 for the second offense, and \$75 for each subsequent offense.

§ 213-2 **License required.**

Any owner or keeper of a dog six months of age or older shall cause that dog to be licensed as required by MGL c. 140, § 137, commencing on April 1 of each year.

§ 213-3 **License fees.**

A. The fee for licensing of dogs and kennel licenses shall be set by the City Clerk in accordance with MGL c. 40, § 22F. The license fee for neutered/spayed dogs shall be less than the license fee charged for dogs that are not neutered or spayed. The owner or keeper must present a spay/neuter certificate or written statement from a veterinarian.

[Amended 2-20-2013 by Order No. FY 13-076]

B. No license fee will be charged for specially trained service dogs as defined in Section 11.

C. No license fee or part thereof shall be refunded because of subsequent death, loss, spaying, neutering, removal from the City of Greenfield, or other disposal.

D. Should any owner or keeper fail to license a dog ~~by~~ **before** June 1, the owner or keeper shall pay a late charge of \$25 before obtaining said license, excepting: [Amended 2-20-2013 by Order No. FY 13-076; 4-15-2020 by Order No. FY 20-163]

(1) A dog brought into the City as provided in MGL c. 140, § 138. This late fee shall be applicable after the 45th day ~~after~~ **following** the arrival of such dog.

(2) When a state of emergency has been declared by the Commonwealth of Massachusetts.

E. Any owner or keeper who, during any licensing period, moves into the City of Greenfield shall register his/her dog forthwith. Failure to do so by the 45th day after the arrival of such dog shall result in a late fee as stated in this section.

CITY COUNCIL ORDER

City of GREENFIELD

MASSACHUSETTS

Councilor _____ :

Second by Councilor _____ :

*The City Council,
Moved that it be ordered,*

THAT THE GREENFIELD CITY COUNCIL AMENDS THE CODE OF THE CITY OF GREENFIELD CHAPTER 56: OFFICERS AND EMPLOYEES, ARTICLE VII: STIPEND FOR SCHOOL BOARD MEMBERS AND TOWN COUNCILORS, ATTACHED AS EXHIBIT A 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.

Majority Vote Required

Vote:

Explanation of supporting rationale:

Chapter 56: Officers and Employees

Article VII

Stipend for School Board Members and Town City Councilors

[Adopted as amended 9-17-2014 by Order No. FY 15-036 (Ch. 158 of the 2002 Bylaws)]

§ 56-18 Annual stipend.

The ~~Town~~ **City** of Greenfield shall appropriate funds to compensate members of the Greenfield School Committee and the ~~Town~~ **City** Council with an annual stipend in the amount of \$2,000, to be paid annually at the completion of each year of service. This section shall become effective three years from the date of final passage.

§ 56-19 Training, continuing education and professional development.

The ~~Town~~ **City** of Greenfield shall appropriate funds each fiscal year beginning in Fiscal Year 2015 for training, continuing education and/or professional development, including registration fees, ~~mileage~~ **mileage applicable** and travel expenses not to exceed \$500 per person per fiscal year; **mileage would be reimbursed separately if funds allow**. This shall not entitle recipients to any other benefits from the ~~Town~~ **City**.

§ 56-20 Reduction in stipend for absences.

[Amended 12-19-2018 by Order No. FY 19-065]

Any board member or Councilor missing more than three regular meetings in a calendar year will have his/her stipend reduced at a percentage commensurate with his/her number of absences.

Suggested Ordinance amendment

Kathy Scott

to Sheila, Dani, me, Dan, Roxann

President Gilmore,

Please let me know if you would allow this to be on the December Committee Chairs agenda. I would like to suggest an amendment to Chapter 56, Section 19, as indicated in the strike draft document below. I would also suggest that the word "town" be replaced with "city" through the section.

I am suggesting this amendment as the rising cost of attending conferences and training may not always allow for members to be reimbursed for mileage.

Thank you Kathy

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

Article VII

Stipend for School Board Members and ~~Town~~ City Councilors

[Adopted as amended 9-17-2014 by Order No. FY 15-036 (Ch. 158 of the 2002 Bylaws)]

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§ 56-20 Reduction in stipend for absences.

[Amended 12-19-2018 by Order No. FY 19-065]

Any board member or Councilor missing more than three regular meetings in a calendar year will have his/her stipend reduced at a percentage commensurate with his/her number of absences.

Kathryn J. Scott,
Greenfield City Clerk,
City Council Clerk, Justice of the Peace, Records Access Officer
14 Court Square
Greenfield MA 01301
(413) 772-1555

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____:

Second by Councilor _____:

The City Council,

Moved that it be ordered,

THAT THE GREENFIELD CITY COUNCIL ACCEPTS MASSACHUSETTS GENERAL LAW CHAPTER 41 SECTION 110A, AS ATTACHED (EXHIBIT A).

Majority Vote Required.

VOTE:

Explanation of supporting rationale:

EXHIBIT A

Part I: ADMINISTRATION OF THE GOVERNMENT

Title VII: CITIES, TOWNS AND DISTRICTS

Chapter 41: OFFICERS AND EMPLOYEES OF CITIES, TOWNS AND DISTRICTS

Section 110A: Office hours on Saturday

Section 110A. Any public office in any city or town may remain closed on any or all Saturdays as may be determined from time to time, in a city by the city council, subject to the provisions of the city charter, or, in a town, by vote of the town at a special or regular town meeting, and the provisions of section nine of chapter four shall apply in the case of such closing of any such office on any Saturday to the same extent as if such Saturday were a legal holiday.

Acceptance of MGLc 41, Section 110A

Kathy Scott

to Sheila, Councilor, me, Quinn, Dan, Dani, Roxann

President Gilmour,

I am requesting, and have asked Tammy to place on the December Committee Chairs agenda, the City Council accept the following section of Mass General Law. I am requesting this consideration as it would allow (for local elections only) that the last day to register to vote or change an individual's voting status be held on a Friday rather than having staff work (and be paid overtime) on a Saturday.

Section 110A: Office hours on Saturday

Section 110A. Any public office in any city or town may remain closed on any or all Saturdays as may be determined from time to time, in a city by the city council, subject to the provisions of the city charter, or, in a town, by vote of the town at a special or regular town meeting, and the provisions of section nine of chapter four shall apply in the case of such closing of any such office on any Saturday to the same extent as if such Saturday were a legal holiday.

Thank you Kathy

Kathryn J. Scott,
Greenfield City Clerk,
City Council Clerk, Justice of the Peace, Records Access Officer
14 Court Square
Greenfield MA 01301
(413) 772-1555
kathy.scott@greenfield-ma.gov
greenfield-ma.gov

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____:
Second by Councilor _____:

The City Council,

Moved that it be ordered,

THAT THE GREENFIELD CITY COUNCIL, PURSUANT TO CHARTER SECTION 2-10, AFFIRMS THE FOLLOWING APPOINTMENT BY THE MAYOR TO THE HUMAN RIGHTS COMMISSION: BEKKI CRAIG, FOR A TERM TO EXPIRE DECEMBER 31, 2024 (SHORT TERM TO MAINTAIN STAGGERED TERMS).

Majority Vote Required.

VOTE:

Explanation of supporting rationale: Charter Section 2-10 does not call for a formal vote to affirm the appointees but does say that “at least nine (9) members shall be necessary to reject an appointment proposed by the Mayor”



City of
GREENFIELD, MASSACHUSETTS
OFFICE OF THE MAYOR

MEMO

TO: Sheila Gilmour, City Council President
Dan Guin, City Council Vice President
FROM: Mayor Roxann Wedegartner
DATE: November 14, 2022
RE: December Appointments & Reappointments to City Boards and Commissions -

I submit the following names for appointments and reappointments to these City Boards and Commissions:

Appointments:

- Bekki Craig; Human Rights Commission; December 31, 2024 (short term to maintain staggered terms)
- Megan Cloutier; Mayor's Task Force Against Domestic Violence (police chief designee); December 31, 2024
- Carole Collins; Planning & Construction; December 31, 2025
- David Lanoie; Public Safety Commission; December 31, 2025
- David Moscaritolo; Public Safety Commission; December 31, 2024 (short term to replace Butch Hawkins)

Reappointments:

- Wid Perry; Human Rights Commission; December 31, 2025

A handwritten signature in blue ink that reads "Roxann Wedegartner".

Mayor Roxann Wedegartner

question

1 message

Bekki Craig <bekkicraig13@gmail.com>
To: humanrights@greenfield-ma.gov

Tue, Nov 1, 2022 at 12:05 PM

Hello-

I am interested in learning more about applying to the HRC in Greenfield. I have been a social service provider for more than 30 years and I am committed to social justice.

Please let me know what the process for applying might be or how I can learn more.

Thank you-
Bekki Craig
(413) 218-8911

Bekki Craig

Greenfield, MA 01301 • (413) 376-4959
email bekkicraig13@gmail.com

Objective

Work on the Human Right Commission

Experiences

Individual and Family Advocate, Salasin Project, Greenfield, Ma 2019-Present

Work with team and community approach to offer trauma-informed, healing groups and supports to women affected by unhealthy relationships and domestic violence. Work collaboratively with volunteers, peers and community organizations to host events and facilitate groups. Community outreach and Advisory Group work. Work with peer-to-peer model and offer support, education and healing arts groups in community and in the jail.

Resident Services Coordinator, Greenfield Housing Authority, Greenfield, Ma 2016-2019

Create innovative programs in Community Center for residents living in low-income housing, for both families and elders. Outreach with public services and programs to invite them to the small Community Center located within the family housing at Oak Courts. Connect families with services through workshops, outreach, events and special guests. Emphasis on trauma-informed, crisis intervention and health models using best and promising evidence-based practices. Community health projects including starting community garden and advocating to get a bus stop at the entrance of the housing project. Resident advocacy and information and referral. Collaborative work groups with external organizations.

Family Center Programs, Coordinator, Community Action Family Center, Greenfield, Ma 2013-2016

Supervise early-education programs through a strength-based, trauma-informed perspective. Coordinate and facilitate evidence-based parent education, early- childhood literacy groups and a national home visiting program through a state Family Center model. Create innovative programming in response to community needs, including adding resources and programs for those families experiencing high levels of toxic stress(including families in transition); trauma-informed. Data systems for outcome measurements. Grant reporting and applications. Coordinated Family and Community Engagement (CFCE) EEC state grant coordinator. Supervise staff and program. Community collaborations and public outreach.

Front Area Coordinator, Amherst Survival Center, Amherst, Ma 2008-2013

Supervise very busy Free Store serving people with mental health dual diagnoses and for those living in poverty. Create and coordinate annual Holiday Gift Program serving 400-500 children. Use innovation to find solutions to issues facing the store. Supervise volunteers, interns and work study students. Manage complete store renovation project. Create multicultural/multilingual educational displays. Work within Capital Campaign to relocate Center to newly built location.

Parenting Case Manager, *Walden House, Female Offender Training and Education Program (FOTEP)*-Treasure Island, San Francisco, CA 2002-2003

FOTEP drug and family reunification program start-up planning/implementation, including hire/train/supervise staff. Sole Parenting Program personnel during Program Manager's leave. Facilitate/teach parenting groups and classes. Case manage/support parents through reunification process/court hearings, lead ceremony to award Parenting Program completion. Court/legal advocacy and support.

After-School Program Site Director, *Richmond District YMCA*, San Francisco, CA 2000-2001

Supervise/manage program: Staff, volunteers, youth workers and youth. Maintain legal ratios/comply with CA State licensing procedures. Provide staff/family trainings. Liaison between program and elementary school personnel and between staff and supervisor. Create/oversee innovative program planning. Plan/implement licensed, quality and multi-aged programs for youth ages 5-16. Flexible management techniques/individualized approaches. Foster friendly, supportive team relationships with all families.

Residential Therapeutic Treatment Counselor/Relief Counselor, *Mt. St. Joseph/St. Elizabeth*, San Francisco, CA 1998-2002

Therapeutic crisis intervention/counseling, plan/implement programs. Team approach, group leader/facilitator. Plan/research/lead community field trips. 12-Bed therapeutic treatment facility, adolescent girls ages 12-20 with trauma histories. Record keeping/observation skills, weekly team meetings/trainings. Transportation of staff/clients in agency vehicles. CPS reporting/Child Crisis alerts. Treatment plans/interventions, implement in collaboration with psychodynamic treatment team. Flexible on-call work with three programs: Residential counselor (lived on site 40 hours per week) to adolescent girls with mental health and behavioral concerns; counselor to pregnant/parenting teens and infant/toddler child care within residential treatment facility center. Work with mothers overcoming addiction and their newborn babies residing in the program.

Education

University of Massachusetts/Boston, 1997. Self-Designed/Human Services Program.

University of Massachusetts/Amherst, 1996-1997. Bachelor's Degree with Individual Concentration (BDIC), Adolescent Education/Development; Women's Health Issues Focus.

Bay Path College, 1996 Graduate. Associate of Science Degree.

Special Training and Qualifications

- Nurturing Families Program trained facilitator/parent educator (15-week evidence-based curriculum), STEP Parenting Education Facilitator (9 week curriculum), Brazelton Touchpoints Trained, Parenting Journey Facilitator (12 week curriculum)
 - Practice Trauma-informed Universal Precautions
 - Child and Adult First Aid/CPR
 - Serve Safe Certified
 - Preschool Teacher Qualified, highly experienced with children of all ages, especially those exhibiting challenging behaviors
 - Group Facilitation
 - Human Service Forum 5-Part Supervisory Skills Training
 - Healing Trauma, Beyond Violence trained facilitator
 - Somatic Experiencing Trainings

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____:
Second by Councilor _____:

The City Council,

Moved that it be ordered,

THAT THE GREENFIELD CITY COUNCIL, PURSUANT TO CHARTER SECTION 2-10, AFFIRMS THE FOLLOWING APPOINTMENT BY THE MAYOR TO THE MAYOR'S TASK FORCE AGAINST DOMESTIC VIOLENCE: MEGAN CLOUTIER, FOR A TERM TO EXPIRE DECEMBER 31, 2024 (POLICE CHIEF DESIGNEE).

Majority Vote Required.

VOTE:

Explanation of supporting rationale: Charter Section 2-10 does not call for a formal vote to affirm the appointees but does say that "at least nine (9) members shall be necessary to reject an appointment proposed by the Mayor"

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____:
Second by Councilor _____:

The City Council,

Moved that it be ordered,

THAT THE GREENFIELD CITY COUNCIL, PURSUANT TO CHARTER SECTION 2-10, AFFIRMS THE FOLLOWING APPOINTMENT BY THE MAYOR TO PLANNING AND CONSTRUCTION COMMISSION: CAROLE COLLINS, FOR A TERM TO EXPIRE DECEMBER 31, 2025.

Majority Vote Required.

VOTE:

Explanation of supporting rationale: Charter Section 2-10 does not call for a formal vote to affirm the appointees but does say that “at least nine (9) members shall be necessary to reject an appointment proposed by the Mayor”

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____:
Second by Councilor _____:

The City Council,

Moved that it be ordered,

THAT THE GREENFIELD CITY COUNCIL, PURSUANT TO CHARTER SECTION 2-10, AFFIRMS THE FOLLOWING APPOINTMENT BY THE MAYOR TO THE PUBLIC SAFETY COMMISSION: DAVID LANOIE, FOR A TERM TO EXPIRE DECEMBER 31, 2025.

Majority Vote Required.

VOTE:

Explanation of supporting rationale: Charter Section 2-10 does not call for a formal vote to affirm the appointees but does say that “at least nine (9) members shall be necessary to reject an appointment proposed by the Mayor”

David A. Lanoie, Esq. 623 Barton Road, Greenfield MA
413-772-0655
DavidLanoie@outlook.com

11/10/2022

Honorable Roxann Wedegartner
Mayor, City of Greenfield
Court Square
Greenfield MA

RE: Public Safety Commission

Dear Mayor Wedegartner:

I write to request the consideration of an appointment to the Public Safety Commission in our community. My record of municipal service began in 1998 as a Precinct 4 Councilor on the 'old' town council. Since that time, I have served as a member of the Selectboard, Charter Commission, School Committee and by appointment on the Redevelopment and GCET Boards.

Since college, I have been drawn to public service. I believe that the full measure of citizenship is expressed by the willingness to serve. Additionally, I have dedicated myself professionally to a lifelong career in Criminal Justice, as both a practitioner and College faculty member, and continue to serve in both roles.

As my enclosed resume and cv summary indicate, I believe that our systems of social control can only operate if they are dedicated to socially just outcomes, achieved through non-punitive, harm-reduction based approaches. In the words of Sir Robert Peel, *"The police are citizens, and the citizens are the police"*. These words are prescient, and more meaningful now than ever. Our history as a democratic republic will indeed be defined by how we achieved – or failed to achieve – progress in creating a color-blind, inclusive and substantively just nation, state and community for all of our citizens.

Thank you for your consideration of my request, and offer, to serve our community!

Very Truly Yours,

David Lanoie

/enclosures

David A. Lanoie

623 Barton Road, Greenfield Ma. 01301 | 413-772-0655 | DavidLanoie@outlook.com

Objectives

- **To engage:** in teaching, program development, public service through which my 30+ years of experience in Government, State and Local Politics, Criminal Justice Administration, and Higher Education can be utilized to:
 - Deliver courses/workshops/trainings that emphasize critical thinking and evidence-based public policy models;
 - Broaden knowledge and enhance skills of criminal justice practitioners by delivering programs/modules in leadership; management; ethics; organizational dynamics and specially tailored staff development opportunities as needed;
 - create student/community awareness of issues confronting the political and criminal justice systems
 - promote initiatives that increase understanding of social justice including trauma informed/evidenced based approaches to policing, corrections and judicial administration
 - participate in public service in ways that embrace modern-evidenced based practices to assist vulnerable or justice-involved populations
- **To volunteer:** in areas that will promote understanding, diversity, inclusivity, community-building, race and gender equity thereby enhancing quality of life for all citizens

Education

JURIS DOCTOR, 1987, SUFFOLK UNIVERSITY LAW SCHOOL, BOSTON MA

- Curriculum focus: law, Admitted as an attorney, December 1987 (NOTE: chose not to maintain a traditional law practice but to utilize legal education to enhance ability and skill set as a public administrator and in community service positions and teaching)
- Related coursework: Social Injury and the Law; Public Policy Law; Civil Liberties; Constitutional Government; Prisoners' Rights; Correctional Law; Environmental Law

- Legal Writing Capstone Topic: 'The Implications of Insurance Law for Compensating Victims of Asbestosis'

BACHELOR OF ARTS, 1983, COLLEGE OF THE HOLY CROSS, WORCESTER MA

- Major: Political Science
- Related coursework: Social Problems and Public Policy; Political Sociology; Urban Sociology and Planning; Political Philosophy; 20th century American History; European 20th Century History and Politics; Civil War and Reconstruction; Government and Business; Comparative Political Systems
- Served as Chair, Campaign Committee, Holy Cross College Democrats

Certifications, Memberships and leadership positions

- **Certified Jail Manager**, 2010, American Jail Association, National Leadership Program
- **Certified Peace Officer**, 1987, Massachusetts Criminal Justice Training Council
- **Certified Level 3 Instructor-Legal**, Massachusetts Municipal Police Training Committee (2014-recertification with New 'POST' Commission pending)
- **Past Vice-President**, Massachusetts Sheriffs' Association Legal Staffs Committee (2003-2014)
- **Past Chair**, Massachusetts Sheriffs' Association "Legal Team" (2003-2014)
- **Member**, Public Safety and Justice Committee, Franklin/Hampshire Opioid Taskforce 2018-Present)
- **Commissioner**, (GCET) Greenfield Community Energy & Technology (mayoral appointment 2016-2022)
- **Member**, Greenfield Redevelopment Authority (mayoral appointment, 2016-2018)
- **Town Councilor**, Town of Greenfield (1998-2000)- elected position
- **Selectman**, Town of Greenfield (2000-2003)- elected position
- **Member**, Greenfield Charter Commission (2002-2004)- elected position
- **Chairman/member**, Greenfield School Committee (2005-2007)- elected position

Experience: Government; Correctional/ Public Safety Administration and Higher Education

LAW ENFORCEMENT ACTION PARTNERSHIP (LEAP), MEDFORD MA; WASHINGTON D.C. (2015-PRESENT)

- **Member, Speakers' Bureau**, national organization comprised of current and retired public safety officials dedicated to Bail/Sentencing reform; Ending the Drug War; Harm Reduction strategies for dealing with addiction; Racial Bias; Evidenced-Based frameworks for social control; Restorative Justice; De-militarization of policing etc.
- Address audiences; Participate on radio shows; Attend/testify at legislative hearings on bills aimed at achieving criminal justice reforms
- Speaking engagements (through December 2019):
 - Boston University Medical School; Supervised Injection Facilities
 - Northeastern University; Harm reduction in the Opioid Crisis
 - Middlesex Community College; The Drug War and Institutionalized Racism
 - Western Mass Chapter: 'Learn to Cope' , Harm Reduction
 - National Syndicated Radio (Michigan, California, Kansas, Pennsylvania), The Drug War
 - Rotary Club International (Massachusetts); Easthampton, Agawam, Fitchburg, Abington
 - Northeastern University; SSDP (Students for Sensible Drug Policy)
 - Middlesex Community College (Harm Reduction Strategies and the Drug War)
 - Hosted HIDTA at Greenfield Community College "Harm Reduction Summit" to create partnership between Federal law enforcement and allied public health/public safety and Harm Reduction agencies (Spring 2018) with attendance of 200 from four states
 - People of Color in Criminal Justice Annual Conference, Framingham State University, 2018

SPECIAL SHERIFF OF HAMPSHIRE COUNTY, 205 ROCKY HILL ROAD,
NORTHAMPTON , MA 01061 (2021- PRESENT)

- Serve as Second-in-Command with oversight of daily operations of all divisions, facilities and functions of Sheriff's Office
- Project Director- Hampshire Sheriff's Office MOUD/Health services Re-entry Expansion Project (MYREP): goal- to expand and build out infrastructure for MOUD and allied medical/mental health services for Post-Release; Parole and Probation population in Hampshire County

STAFF DEVELOPMENT OFFICER, HAMPSHIRE SHERIFF'S OFFICE, 205 ROCKY HILL ROAD, NORTHAMPTON , MA 01061 (2020-2021)

- Utilize experience and skill set to oversee initiatives including, but not limited to:

1. Chapter 69; Criminal Justice Reform
2. Chapter 252; Police Reform
3. Classification/evidenced based practices/re-entry
4. Civil Process
5. Budget and Purchasing
6. Human Resources
7. Staff Development

Public Safety Development Consultant, 623 BARTON ROAD, GREENFIELD, MA 01301 (2019-PRESENT)

- Provide targeted professional development services for Criminal Justice and allied agencies
 1. Strategic Planning
 2. Leadership
 3. Ethics/diversity/ race and gender equity/bias
 4. Employee Recruitment and Performance Review
 5. Evidenced-based/Non-punitive Corrections, Policing, Judicial Models

COORDINATOR OF CRIMINAL JUSTICE PROGRAMS, GREENFIELD COMMUNITY COLLEGE, ONE COLLEGE DRIVE, GREENFIELD, MA 01301 (2017-PRESENT)

- Appointed as Coordinator after serving 14 years as Adjunct-Professor in Criminal Justice Program
- Provide oversight of department including scheduling of course offerings; program/curriculum development; assessment; student engagement; community outreach
- Teach Criminal Justice and Political Science courses
- Participate in committee work as required by position
- Oversee Advisory Board composed of Political and Community Leaders in addressing best practices for developing and offering Criminal Justice Programs
- Achieved the following since appointment to position in January, 2017
 1. Established outreach through listening sessions within the region served by GCC (Franklin County, Hampshire County, Southern Vermont, Southern New Hampshire)

2. Developed and convened a Criminal Justice Advisory Board comprised of 30 community/academic stakeholders including but not limited to political leaders, law enforcement executives, faculty members, defense/ACLU attorneys and criminal justice practitioners from police agencies, courts and corrections
3. Re-activated 'Social Issues in Criminal Justice' to expose CRJ majors and other students to myths which have led to unjust outcomes and negative collateral consequences for minorities, immigrants and the poor due to public/criminal justice policies
4. Participate in 'Open Classroom'; assist in hosting students from Peer Tutoring and give lectures in Sociology courses regarding Social Issues within the Criminal Justice field
5. Initiated a Certificate entitled 'Police and Society' to address profiling (racism), use of force, ethics, awareness of history of civil rights/liberties trauma informed/ evidence-based and diversion-based approaches to policing (in draft stage)
6. Gave first annual Dovi Afesi Lecture, entitled 'The Prisonization of America: Racial and Socio-Economic Disparities in the Age of Equal Rights'
7. Accepted position on 'Public Safety and Justice' Committee of the Franklin/Hampshire Opioid Taskforce, a working committee dedicated to evaluation and development of initiatives and policies for harm reduction strategies in policing, courts, and corrections.
8. Initiated formation of a Criminal Justice Club to enhance student engagement, volunteer opportunities, awareness of social-justice
9. Actively participate on the Statewide Criminal Justice Coordinators Committee to discuss curriculum; collaborate and comply with BHE guidelines; exchange information and work with allied agencies on prior learning policies regarding police/corrections academy training curriculum
10. Develop engagement opportunities for Political Science students: Mock Congressional Committee Hearing on School Safety (Spring 2018); In-class debate on the 2nd amendment (Fall, 2017); field trip to Massachusetts Statehouse hosted by Representative Paul Mark (every semester)
11. Implemented 'early college' with Superintendent of Schools for the Pioneer Valley Regional District in Criminal Justice, Fire Science and Emergency Response as electives in preparation for dual enrollment or job placement upon graduation

- As of January 2022, have taught 66 consecutive semesters at the college level including 21 years within the Massachusetts Community College system.

SUPERINTENDENT AND SPECIAL SHERIFF, FRANKLIN COUNTY SHERIFF'S OFFICE,
160 ELM STREET, GREENFIELD, MA 01301 (2009-2014; RETIRED)

(UPON RETIREMENT, HAD SERVED IN MAJOR POLICY-MAKING POSITIONS UNDER SIX SHERIFFS IN THE COUNTIES OF WORCESTER, MIDDLESEX AND FRANKLIN BETWEEN 1984 AND 2014)

- **Chief Administrative Officer** of Jail and House of Correction and Second-in-Command of Office of the Sheriff with a staff of 170; two correctional facilities ('old' facility and newly built facility); a Community Corrections Center; inmate population of 290 and annual operating budget of \$12,500,000
- As Chief Administrative Officer, provided oversight of all correctional facility functions including: Security and Custody; Inmate Classification ,Treatment and Vocational Programs; Inmate Medical Services; Community Corrections; Pre-release; Community Service; Budget and Procurement; Human Resources; Legal standards and Compliance; Training and Staff Development; Collective Bargaining; Litigation Management; and Facility Maintenance
- Enhanced entry-level credentials of Corrections Officers by listing Associates' Degrees as preferred qualification
- Increased number of women, minorities reached in job searches through advertising to include Hampden County and Boston metropolitan news outlets
- Chaired Search Committees resulting in the appointment of more women to administrative and leadership positions within the Sheriff's Office than any prior Superintendent
- Commencing in 2011, with the election of Sheriff Chris Donelan, the Franklin County Jail was designated by the National Institute of Corrections as a TJC/Second Chance Act jail: Presided over the introduction and implementation of the **Transition From Jail To Community model (TJC)**, and the required restructuring, training, and visioning necessary to institutionalize an inmate-centered approach to an evidenced-based, re-entry focused community correctional system:
 - 1. Creation of county-wide Criminal Justice Coordinating Committee
 2. Training of staff in risk assessment at booking (proxy) and LSRNR
 3. Implementation of Objective Classification (Northpointe Decision Tree)
 4. Initiation of Unit Management/intensive treatment housing model
 5. Accountability to Institutional Service Plans
 6. Re-entry planning services
 7. Pre-release treatment and employment
 8. Public Housing and community linkage upon release
 9. Re-allocation of correctional resources to trauma-informed treatment of addiction

10. Post-release transition

- As Second-in-Command (**Special Sheriff**), provided oversight of other statutory functions of the Sheriff's Office including: Prisoner Transportation; Administration of Civil Process Division and Law Enforcement Support Services (TRIAD-Elder Services, School Safety, K-9 services, assignment of Deputy Sheriffs to investigative task forces and Traffic Control Details, deployment of Homeland Security assets, and emergency response at the request of local police departments); Developed, Coordinated, Implemented Initiatives of the Sheriff's Office in response to local needs of constituents.

CHIEF OF STAFF, FRANKLIN COUNTY SHERIFF'S OFFICE, 160 ELM STREET, GREENFIELD, MA 01301 (1997-2009)

- Reporting directly to Sheriff as top policy advisor, evaluated all activities of the Sheriff's office to ensure compliance with applicable Correctional, law enforcement and legal standards as well as programmatic efficiency and effectiveness
- Performed assigned tasks as Sheriff's Office liaison to the state legislative and executive branches and political leaders in the planning, designing, funding and construction of a new correctional facility which was authorized in 1998 with construction commencing in 2003 and opened in 2007
- Initiated the re-purposing of the old facility (built in 1886) as a re-integration center with a federal Byrne Grant creating the first-ever prisoner re-entry program in the history of the county. Known as the "Equip" Prisoner Reentry Program, it provided the framework for the agency-wide restructuring necessary to implement the TJC model

SUPERINTENDENT, POLICY /ADMINISTRATION, MIDDLESEX COUNTY SHERIFF'S OFFICE, 40 THORNDIKE STREET, CAMBRIDGE, MA 02141 (1995-1997)

- Served in specially created position to assist new sheriff in re-organizing the agency which had been destabilized by removal of the incumbent sheriff, and subsequent appointment, by Governor, of three interim sheriffs within a two year period. Performed function of Chief Administrative Officer in second largest Sheriff's Office in the state with responsibility for all statutory functions, 650 employees, two correctional facilities, an inmate population of 1,400 and an annual operating budget of \$35,000,000 (FY '95). Worked directly with state officials (Governor, Attorney General, Legislature, County Advisory Board and

Commissioners), the U.S. Attorney's Office/FBI to restore credibility and stability to the office

SUPERINTENDENT AND SPECIAL SHERIFF, FRANKLIN COUNTY SHERIFF'S OFFICE,
160 ELM
STREET, GREENFIELD, MA 01301 (1994-1995)

- As Chief Administrative Officer and Second-in-Command, initiated a program to achieve compliance with state jail standards in a facility built in 1886 with a capacity for 75 inmates which, at time of appointment to the position, was at 125% of capacity and 95% non-compliant with mandatory operating standards. (Left position in June, 1995, to accept the temporary appointment in Middlesex County, upon request of the Interim Middlesex Sheriff, with the consent of the Franklin Sheriff)

DIRECTOR OF CRIMINAL JUSTICE PROGRAMS, ASSISTANT PROFESSOR OF
CRIMINAL JUSTICE,
ANNA MARIA COLLEGE, PAXTON, MA 01612 (1990-1994)

- Chaired and taught in Criminal Justice Department comprised of on-campus full time and part time undergraduate and graduate program as well as satellite programs throughout the state
- Rewrote curriculum for all programs to include a broad inter-disciplinary focus; worked with Vice President for Academic Affairs by providing data, reports and evaluative material for NEASC reviews and compliance with the state's Higher Education Coordinating Council's guidelines for criminal justice programs
- Created a Professional Studies Division to serve the needs of adult learners and part time students; revised the graduate curriculum to provide a public safety management track and a human service delivery track
- Hired, supervised and evaluated staff of 35-45 (site coordinators, full time staff and adjunct instructors)
- recruited and advised students
- Expanded off-campus program from three to nine satellite locations while ensuring academic integrity through hiring of site managers with both academic and professional credentials as well as teaching experience
- Increased total program enrollment from 300 to 600 students; instructed on campus and at satellite locations; served on the College President's Council, Presidential Search Committee, and College Governance/By-law Committee

- Stepped down from Directorship in 1994 to accept appointment of Superintendent and Special Sheriff of the Franklin County Sheriff's Office. Remained at college as Director of Development for Public Safety Programs (1994-1998), to assist in the creation of specialized training and educational opportunities for public safety practitioners, particularly the sponsorship of forums on important topics in public safety: ethics, drug addiction, restorative justice and cooperative, community-based strategies for addressing crime. Founded the Chief Robert Mortell Institute for Public Safety, Fall 1995

STAFF ATTORNEY/DEPUTY SHERIFF, WORCESTER COUNTY SHERIFF'S OFFICE, 5 PAUL X.

TIVNAN ROAD, WEST BOYSLTON, MA 01583 (1987-1990)

- Assigned to Sheriff's Special Services Division: served as internal counsel; wrote policy and procedure; instructed in recruit academy and in-service training of correctional and law enforcement staff; coordinated fugitive apprehension and out-of-state prisoner transfers; supervised prosecution of inmates for crimes committed while in custody; assisted Sheriff in implementation of Federal Consent Decree to improve living conditions of inmates and reduce overcrowding ; assisted outside counsel with pending cases; appeared in Court on behalf of the Sheriff; addressed community groups on topics relating to Sheriff's Office initiatives and programs

CORRECTIONS OFFICER, WORCESTER COUNTY SHERIFF'S OFFICE, 5 PAUL X. TIVNAN ROAD,

WEST BOYSLTON, MA 01583 (1984-1987)

- Provided care, custody and supervision of pre-trial detainees and sentenced offenders in adult male county correctional facility with a population of 700; worked all internal posts in adult male housing units at all security levels

ADJUNCT PROFESSOR, CRIMINAL JUSTICE DEPARTMENT, GREENFIELD COMMUNITY COLLEGE, 1 COLLEGE DRIVE, GREENFIELD MA (2003-2016)

- Taught Corrections, Contemporary Inmate Treatment Practices, Social Issues in Criminal Justice, Juvenile Justice, Criminal Law, Criminal Law and Procedure , and American Politics in Associate Degree Program

- Assisted with student engagement/placement in mandatory internships in jails and public safety agencies within Franklin County

INTERN, HOUSE COMMITTEE ON HUMAN SERVICES; MASSACHUSETTS HOUSE OF REPRESENTATIVES, STATEHOUSE, BOSTON MA (1983-1984)

- Provided constituent services to citizens of District; attended hearings and legislative sessions in Statehouse; assisted elected State Representative with organizing information and providing timely responses to citizen requests; observed legislative debate in the House Chamber; provided outlines of proposed bills to Representative for public appearances and local district citizens' forums

OTHER HIGHER EDUCATIONAL TEACHING EXPERIENCE

- Quinsigamond Community College, Worcester Ma. 1988-1990
- Clark University, College of Professional and Continuing Education, Worcester Ma. 1988-1990
- Middlesex Community College, Bedford Ma. 1995-1996
- Baypath College, Longmeadow Ma. 2007-2009

REFERENCES: Available upon request

David A. Lanoie, Esq.- *MOUD/Healthcare Re-entry Expansion Project*

CV (Summary)

Current Professional Engagement

- *Special Sheriff of Hampshire County Massachusetts*
- *Coordinator of Criminal Justice Programs, Greenfield Community College, Greenfield Massachusetts*
- *Speaker, Law Enforcement Action Partnership- Harm Reduction Section*
- *Member, Public Safety/Justice Committee, Franklin/Hampshire Opioid Taskforce*
- *Agency Lead (Hampshire Sheriff's Office) – 'Mashealth Projects for Justice-Involvement Populations'*

Professional Profile:

- 35 years of experience in the Massachusetts County Correctional System in the positions of : Correctional Officer; Deputy Sheriff; Recruit Instructor/Trainer; Internal Legal Counsel; Chief of Staff; Superintendent/Special Sheriff; Chief Administrative Officer; Special Sheriff (current)
- 33 years of higher education experience: Criminal Justice; Political Science; Sociology at undergraduate and graduate level: Adjunct faculty member; Department Chair/Assistant Professor of Criminal Justice; Coordinator of Criminal Justice Programs (current)
- Member: Massachusetts Statewide Community College Criminal Justice Coordinators' Committee (current)
- Certified Jail Manager: American Jail Association National Leadership Program- 2010; Certified Peace Officer, Comm. Of Mass. MPTC/POST
- Past Chair: Massachusetts Sheriffs' Association Legal Team
- Past Vice-President: Massachusetts Sheriffs' Association Legal Staffs Standing Committee
- Co-Counsel (Current): Police Reform- Mass. Sheriffs' Association
- Past Chapter Director, Massachusetts Community College Council (Statewide Community College faculty Governance Board)

Education:

- College of the Holy Cross, Worcester, Massachusetts - B.A., Political Science

- Suffolk University Law School, Boston, Massachusetts - J.D. (Bar Admission, 1987)

Evidenced Based/Harm Reduction Initiatives:

- **2008-2010**
Implemented Byrne Grant Initiative in Franklin County: Introduced/implemented Northpointe Objective Classification; initiated *'Inmate Behavioral Management'* with professional development support from NIC; re-purposed a section of the "old Jail" creating the *'Equip Prisoner Re-entry Program'*- the first re-entry program in the county which provided the foundational framework for TJC.
- **2011-2014**
Introduced the TJC toolkit/model to Franklin County Ma. under Sheriff Chris Donelan (April 2011); As Superintendent, Organized and oversaw implementation at direction of the Sheriff in collaboration with NIC/URBAN Institute with Technical Assistance provided by Kevin Warwick (Alternative Corrections Solutions).
- **2013-2014**
Proposed and created a *'Correctional Certificate'* credential within the Criminal Justice Program at Greenfield Community College with a Seminar course (*Contemporary Inmate Treatment Practices*) focusing on Non-punitive/Harm Reducing/ Evidenced Based corrections and Re-entry. Currently teach the course/certificate and coordinate required Practicum at Franklin County
- **2016-2019**
As a *'LEAP'* Harm Reduction Speaker, made presentations/gave interviews to the following groups: Boston University Medical School (*supervised injection facilities*); Northeastern University (*Students for Sensible Drug Policy*); Western Mass *'Learn to Cope'* (*Harm Reduction in Re-entry*); National Syndicated Public Radio (Michigan,California,Kansas,Pennsylvania-*'De-criminalizing the Drug War'*); Rotary Club Int'l (*multiple sites- 'Collateral Consequences in Re-entry'*)
- **2018**
Organized/hosted 4 state *'Harm Reduction Summit'* at Greenfield Community College featuring federal, state, local public health and public safety agencies and allied harm reduction stakeholders including *'Overdose Response Section'* of HIDTA- *High Intensity Drug Trafficking Area Initiative of the DOJ*

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____:
Second by Councilor _____:

The City Council,

Moved that it be ordered,

THAT THE GREENFIELD CITY COUNCIL, PURSUANT TO CHARTER SECTION 2-10, AFFIRMS THE FOLLOWING APPOINTMENT BY THE MAYOR TO THE PUBLIC SAFETY COMMISSION: DAVID MOSCARITOLO, FOR A TERM TO EXPIRE DECEMBER 31, 2024 (SHORT TERM TO REPLACE BUTCH HAWKINS).

Majority Vote Required.

VOTE:

Explanation of supporting rationale: Charter Section 2-10 does not call for a formal vote to affirm the appointees but does say that “at least nine (9) members shall be necessary to reject an appointment proposed by the Mayor”



Caitlin von Schmidt <caitlin.vonschmidt@greenfield-ma.gov>

David Moscaritolo for PSC

1 message

Caitlin von Schmidt <caitlin.vonschmidt@greenfield-ma.gov>
To: Caitlin von Schmidt <caitlin.vonschmidt@greenfield-ma.gov>

Tue, Nov 29, 2022 at 4:20 PM

----- Forwarded message -----

From: David Moscaritolo <dmuskie@gmail.com>
Date: Mon, Nov 7, 2022 at 9:20 AM
Subject: Public Safety Commission
To: Roxann Wedegartner <roxann.wedegartner@greenfield-ma.gov>

Dear Mayor Wedegartner,

I am interested in serving on the Greenfield Public Safety Commission. I have over 40 years experience in the security industry working with several police and fire departments across the country. I have consulted on a wide variety of programs involving physical assist protection, investigations, safety plans for public spaces and its citizens.

I have experience developing and maintaining large operational budgets and setting priorities. I have experience working with departments to improve processes and procedures to ensure recommendations are reviewed and move forward in a timely manner.

I have also participated in promoting equitable change in the security industry making sure the opportunities are available to all.

Thank you for your consideration.

David E. Moscaritolo

43 Country Club Road • Greenfield, MA 01301

413.325.3645 • dmoskie@gmail.com

STRENGTHS	PROFESSIONAL EXPERIENCE
<ul style="list-style-type: none">• Leadership• Integrity• High-level technical skills• Teambuilding• Customer Relationships	
FORMAL EDUCATION	
<i>Bachelor of Science, Urban Affairs/City Planning Concentration (2007)</i> BOSTON UNIVERSITY BOSTON MA <i>Courses: Environmental Management, Business Management Program (2008–present)</i> HARVARD UNIVERSITY EXTENSION SCHOOL, CAMBRIDGE MA <i>Courses: MBA in Entrepreneurial Leadership and Innovative Thinking (2011)</i> BAY PATH COLLEGE LONGMEADOW MA	Convergent Technologies 2019–Present <i>Program Manager II</i> Responsible to deliver superior operational leadership for national financial account clients. Work collaboratively to maintain and improve existing relationships through high-level strategic connections. <ul style="list-style-type: none">• Support operational installation and service management for a nationally recognized financial leader, totaling \$25-40M per year• Work with a team to develop public safety procedures and protocols• Work with clients to ensure that safety and investigative procedures are met in response to incidents, both internal and external• Work with local public safety officials to ensure safety procedures are in place, maintained, and updated• Drive strategies to meet year-end gross margin• Provide resolutions for planning, technical, and relationship issues• Review contractual obligations, including response times and end-user satisfaction• Partner with client senior management on large-scale projects to develop technical specifications, architectural drawings, and security infrastructure plans• Technical advisor responsible for implementing training plans related to the national account• Foster safety, employee development, and implement training programs to enhance understanding of national account infrastructure systems• Promote and support equity and inclusion initiatives in hiring, training and retention
CERTIFICATIONS & LICENSES	Kratos Defense Security Solutions 2009–2019 <i>National Accounts Program Manager</i> Operational leader for national account clients. Fostered existing relationships through high-level strategic client interaction.
<i>Master Electrician Certificate</i> WOBBURN ELECTRICAL SCHOOL WOBBURN MA <i>Journeyman Electrical Certificate</i> LEO MARTIN ELECTRICAL SCHOOL NORWOOD MA <i>Lenel Access Systems Certification and Trainer</i>	Fidelity Investments 2001–2009 <i>Project Manager</i> Managed security infrastructure for 200 remote retail locations. Managed all external consultants that provided security system design, installation, documentation, maintenance, project management, and testing. Worked in cooperation with Fidelity client representatives and other business units to develop overall program scope, strategy, and requirements that ensured Fidelity business units, staff, and property was adequately and safely protected.
	Diebold Inc. (Marlborough, MA) 1996–2001 <i>Lead Electronic Security Technician</i> <ul style="list-style-type: none">• Provided on-site and remote support to regional clients in financial and transportation sectors• Project manager for Massachusetts Bay Transportation Authority (MBTA)• Interfaced with engineers and police department personnel on all safety system design and day-to-day technical needs

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____:
Second by Councilor _____:

The City Council,

Moved that it be ordered,

THAT THE GREENFIELD CITY COUNCIL, PURSUANT TO CHARTER SECTION 2-10, AFFIRMS THE FOLLOWING RE-APPOINTMENT BY THE MAYOR TO THE HUMAN RIGHTS COMMISSION: WID PERRY, FOR A TERM TO EXPIRE DECEMBER 31, 2025.

Majority Vote Required.

VOTE:

Explanation of supporting rationale: Charter Section 2-10 does not call for a formal vote to affirm the appointees but does say that “at least nine (9) members shall be necessary to reject an appointment proposed by the Mayor”

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____ :
Second by Councilor _____ :

The City Council,

Moved that it be ordered,

THAT THE GREENFIELD CITY COUNCIL TAKE FROM THE TABLE “MOVED THAT IT BE RESOLVED:

THE CITY COUNCIL FINDS FULL AND APPROPRIATE REASON TO DECLARE THAT POLICE CHIEF ROBERT HAIGH HAS LOST THE CONFIDENCE OF THE CITIZENS OF GREENFIELD; AND FINDS FURTHER REASON TO DECLARE THAT MAYOR ROXANNE WEDEGARTNER, DUE TO HER PUBLIC SUPPORT OF CHIEF HAIGH, HAS SIMILARLY LOST THE CONFIDENCE OF THE CITIZENS OF GREENFIELD.

THE CITY COUNCIL THEREFORE CALLS ON THE MAYOR TO RECTIFY THIS CRISIS OF CONFIDENCE EITHER BY FIRING CHIEF HAIGH IMMEDIATELY OR BY RESIGNING FROM OFFICE.” WHICH WAS TABLED AT THE SEPTEMBER 21, 2022, CITY COUNCIL MEETING.

Majority Vote Required.

VOTE:

Explanation of supporting rationale:

TAKE FROM TABLE YES NO ABST
CALL THE QUESTION YES NO ABST
MAIN MOTION YES NO ABST

The City Council,

Moved that it be resolved,

THE CITY COUNCIL FINDS FULL AND APPROPRIATE REASON TO DECLARE THAT POLICE CHIEF ROBERT HAIGH HAS LOST THE CONFIDENCE OF THE CITIZENS OF GREENFIELD; AND FINDS FURTHER REASON TO DECLARE THAT MAYOR ROXANNE WEDEGARTNER, DUE TO HER PUBLIC SUPPORT OF CHIEF HAIGH, HAS SIMILARLY LOST THE CONFIDENCE OF THE CITIZENS OF GREENFIELD.

THE CITY COUNCIL THEREFORE CALLS ON THE MAYOR TO RECTIFY THIS CRISIS OF CONFIDENCE EITHER BY FIRING CHIEF HAIGH IMMEDIATELY OR BY RESIGNING FROM OFFICE.

Majority Vote Required.

VOTE:

Explanation of supporting rationale:

City Council – First Reading- December 21, 2022

- Transfer \$16,865.78 from Reserve Fund 5781 to FY23 Library Building and Grounds Maintenance Account 5200.
- Appropriate \$3,585,000 for a Sewer Dewatering System Project.
- Repurpose \$727,287.66 from Authorization for Dredging Leyden Glenn to Water Main Projects.

**CITY of GREENFIELD
MASSACHUSETTS**

Councilor _____ :
Second by Councilor _____ :

The City Council,

Upon recommendation of Mayor Wedegartner and in accordance with
Massachusetts General Laws,

FY23 Reserve Fund Transfer Request

Moved that it be ordered,

Ordered, that:

The Sum of \$16,865.78 be transferred from the FY23 01001320.5781 Reserve Fund
to the FY23 Library account 01002440.5200 Building & Grounds Maintenance.

Reserve Fund Balance is \$60,613 (prior transfer from reserve fund to Weights & Measures of \$14,387).

Balance in Library Building & Grounds Maintenance: \$3,035.04

Majority vote required (7)

VOTE:

Explanation of supporting rationale:

The Library Compressor failed affecting the air quality in the Library. Immediate repair
was necessary for employee safety.

Attachments:

1. Invoice
2. Munis Report

**New England Mechanical**

17 Third Street

Palmer, MA 01069

P: (413) 283-4417 F: (413) 283-4674

www.nemsi.com AA / EOE

MA9C-001001, PM01-001047, DM-211780, PL-150800, SM-22512 - VT000-050771

INVOICE

INVOICE #: 1210008053

INVOICE DATE: 09/30/22

CUSTOMER NUMBER: 1015962

INVOICE TOTAL: \$ 19,865.78

DUE DATE: 10/30/22

TERMS: NET 30

Greenfield - Town of
ATTN: Accounts Payable
14 Court Square
Greenfield, MA 01301

For work performed at:
Town of Greenfield MA Library
402 Main Street,
Greenfield, MA 01301

SERVICE ORDER #: 121009324

AGR #

PO #:

LABOR

Michael Grant	08/08/22	0.50	REG HRS @	137.00	68.50
Michael Grant	08/08/22	1.00	REG HRS @	137.00	137.00
Gary Grant	08/09/22	4.00	REG HRS @	137.00	548.00
Michael Grant	08/09/22	1.00	REG HRS @	137.00	137.00
Alex Martinez	08/09/22	3.00	REG HRS @	137.00	411.00
Michael Grant	08/09/22	5.00	REG HRS @	137.00	685.00
Alex Martinez	08/09/22	5.00	REG HRS @	137.00	685.00
Michael Grant	08/10/22	0.25	REG HRS @	137.00	34.25
Alex Martinez	08/10/22	7.00	REG HRS @	137.00	959.00
Alex Martinez	08/10/22	1.00	REG HRS @	137.00	137.00
Michael Grant	08/10/22	8.75	REG HRS @	137.00	1,198.75
Michael Grant	08/11/22	6.00	REG HRS @	137.00	822.00
Alex Martinez	08/11/22	6.00	REG HRS @	137.00	822.00
Alex Martinez	08/15/22	2.00	REG HRS @	137.00	274.00
Alex Martinez	08/10/22	1.50	OVT HRS @	172.00	258.00
Alex Martinez	08/11/22	0.50	OVT HRS @	172.00	86.00

Labor Total: 7,262.50**PARTS AND MATERIALS**

compressor
contact
contact
drier core
R407C - 67.75 lbs

**New England Mechanical**

17 Third Street

Palmer, MA 01069

P: (413) 283-4417 F: (413) 283-4674

www.nemsl.com AA / EOE

MA9C-038001, PM11-003647, IM-3-11788, PL-150860A, SM-2252 - VT9M-65773

INVOICE

INVOICE #: 1210008053

INVOICE DATE: 09/30/22

CUSTOMER NUMBER: 1015962

INVOICE TOTAL: \$ 19,865.78

DUE DATE: 10/30/22

TERMS: NET 30

Greenfield - Town of
ATTN: Accounts Payable
14 Court Square
Greenfield, MA 01301

For work performed at:
Town of Greenfield MA Library
402 Main Street,
Greenfield, MA 01301

Material Total: 12,603.28**Description of Work/Comments:**

No Cooling thinks compressor opens 8am

08/08/22 - Michael Grant: Arrived and checked in with George. Went to unit and found it to be over amping chattering and shutting off. Checked contactor found it to be burnt up. Checked all fuses and found them to be okay but recommend replacing. Ohmed out first stage windings and found leg 3 to be open. Opened up compressor and removed wires to contactor and insure windings on compressor were open and it was not a bad wire. Leg three of stage one open. George okayed emergency compressor change no quote needed as the building is shut down due to heat. All info sent to Gary to make a plan to change.

08/09/22 - Alex Martinez: Went to supply house to pick up needed materials. Arrived on site. Checked in. Located unit. Power was turned off. Started pumping the system down. Disconnected the electrical. Brought over new compressor. Old compressor still needs to be removed.

08/09/22 - Michael Grant: Arrived on site and brought all necessary tools to the compressor. Began evacuating. Found two leaks in each service valve packing. Evacuation took 4 hours. Total charge was 60lbs but only retrieved 35lbs as the other 25 has leaked out. Will need to leak check further to find any other possible leaks. Removed and labeled all wiring. Removed both suction and discharge lines. Removed all pressure switches and oil lines. Brought all tools back to van and had compressor lullid in.

08/09/22 - Gary Grant: Pick up and deliver compressor and associated materials. Instructed techs on site process for removing failed compressor.

**New England Mechanical**

17 Third Street

Palmer, MA 01069

P: (413) 283-4417 F: (413) 283-4674

www.nemsl.com AA / EOE

NA/RE-038103, PMU-001647, EM-311788, PL-150888M, SM-22152 - VT10W-05773

INVOICE

INVOICE #: 1210008053
INVOICE DATE: 09/30/22
CUSTOMER NUMBER: 1015962
INVOICE TOTAL: \$ 19,865.78
DUE DATE: 10/30/22
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Greenfield - Town of
ATTN: Accounts Payable
14 Court Square
Greenfield, MA 01301

For work performed at:
Town of Greenfield MA Library
402 Main Street,
Greenfield, MA 01301

08/10/22 - Alex Martinez: Arrived on site. Checked in. Unmourned old compressor. Removed old compressor from unit. Installed new compressor in unit. Connected lines, replaced filter drier and leaked checked. Went to supply house and picked up new contactor. Installed new contactor. Checked unit for leaks, was good so unit was placed on vacuum to be left overnight.

08/10/22 - Michael Grant: Arrived and checked in, set up gantry and removed compressor from unit and dropped new one in. Hooked up all connections and leak checked. Did not find any other leaks. Put system on a vacuum.

08/11/22 - Alex Martinez: Arrived on site. Checked in. Finished vacuum on system. Wired compressor. Went to supply house and picked up new compressor contactor. Installed new contactor. Charged system accordingly. System would not start. Diagnosed bad pressure switch and bad fan contactor. Jumped out switch and fan. Will return to replace both. Will return to remove old compressor. Tested system operation. Currently is working properly. Need to dispose of old refrigerant.

08/11/22 - Michael Grant: Rewired new compressor, put in new contactor and started unit. Continued adding refrigerant until it was at proper superheat. Found high pressure switch to be broken and third fan to never come on due to control board being broken. Jumped third fan to second fan contactor. Will need to install fan pressure switch.

08/15/22 - Alex Martinez: Arrived on site. Checked in. Loaded up old compressor into truck to be removed from site.

SERVICE ORDER TOTAL: 19,865.78
NET INVOICE AMOUNT: 19,865.78

REMIT TO: EMCOR Services New England Mechanical | 55 Gerber Road East, South Windsor, CT 06074
PHONE: 860-871-1111

DELIVERY METHOD: Print

11/21/2022 19:14
69071gil

Town of Greenfield
LIBRARY BUILDING MAINT ACCOUNT

P 1
glytdbud

FOR 2023 13

	ORIGINAL APPROP	TRANSFERS/ ADJUSTMENTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<hr/>							
0100 General Fund							
<hr/>							
<u>01006100 5241 Repairs/m</u>	5,000	0	5,000	1,964.96	.00	3,035.04	39.3%
TOTAL General Fund	5,000	0	5,000	1,964.96	.00	3,035.04	39.3%
TOTAL EXPENSES	5,000	0	5,000	1,964.96	.00	3,035.04	
GRAND TOTAL	5,000	0	5,000	1,964.96	.00	3,035.04	39.3%

** END OF REPORT - Generated by Liz Gilman **

CITY COUNCIL ORDER
CITY of GREENFIELD
MASSACHUSETTS

Councilor _____ :
Second by Councilor _____ :

The City Council,
Upon recommendation of Mayor Wedegartner

An Order
Sewer Dewatering System

Moved that it be ordered,

The sum of \$3,585,000 be appropriated for a Sewer Dewatering System and to meet said appropriation, the Treasurer with the approval of the Mayor, is hereby authorized to borrow said sum of \$3,585,000, pursuant to Massachusetts General Laws, Chapter 44 section 8 ,or any other enabling statute, and the Mayor is hereby authorized to apply for, contract for, accept and expend any Federal and/or State grants available for this project to be used to reduce the within appropriation, and further, the Mayor is authorized to take any action necessary to carry out the intent and purpose of the project.

Two-Thirds (2/3) Vote Required

Rationale

1. The equivalent amount of \$3,585,000 for the Anaerobic Digester is being rescinded.
2. Sewer Enterprise fund will pay the debt service on the project.

Attachment: Superintendent Warner's previous memo on the project.

Volute Dewatering Press

Innovative sludge dewatering technology
offering many advantages over conventional
sludge management methods



Volute Dewatering Press

CONCEPT

The PWTech® Volute® Dewatering Press is a unique product, originally developed in Japan, that offers many advantages over current sludge management practices. Patented world wide, the Volute Dewatering Press is presently used in over 2,800 installations.

The key to the process is the "dewatering drum." This drum can achieve both thickening and pressing (dewatering) of the sludge in a single, compact operation. Thus the Volute Dewatering Press can take sludge as dilute as 0.1% solids directly from a treatment process, such as an oxidation ditch or clarifier, and produce a cake of over 20% solids. Separate thickening, storage, and conditioning processes are eliminated. In addition, the need for operators, continuous use of wash water, and high power consumption are eliminated.

UNIQUE DEWATERING DRUM DESIGN

Screw presses are a neat, simple way of conveying and dewatering sludge. They typically have a single bearing or bushing at one end and a gear drive at the other end—simple, robust, and low maintenance. However, the screws for dewatering typically have a casing with openings in it to allow fluid to escape from the sludge as it is pressed. If these openings are too small, they constantly plug with solids, preventing fluid from leaving the sludge. Therefore, the openings are usually fairly large, which means that the sludge cannot be pressed

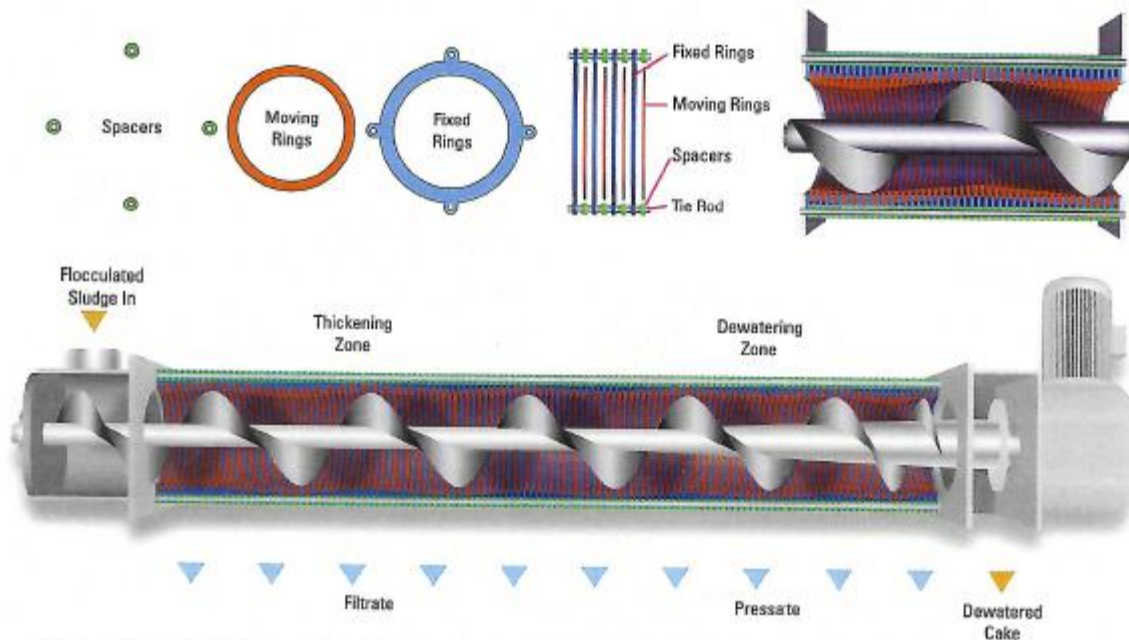
too much as it will extrude through the openings. The result is that screw presses generally do not achieve good cake solids.

Unlike traditional screw presses, the Volute Dewatering Press features the unique "dewatering drum." Spacers and fixed rings are held in place on tie rods. Moving rings, slightly smaller than the outer diameter of the screw and slightly narrower than the spacers, are located between the fixed rings and are moved by the screw. The constant movement of the moving rings cleans the fine gaps between the moving and fixed rings, preventing clogging. The moving rings also cut into the sludge cake, allowing additional surface area for the release of moisture.

The initial section of the dewatering drum is the thickening zone. The filtrate is discharged here. The pitch of the screw narrows and the gaps between the rings decrease towards the end-plate where solids are discharged. Pressing of the sludge occurs here.

PROCESS DESCRIPTION

Sludge is fed into a mixing tank where polymer is thoroughly mixed in. The sludge then passes through a flocculation tank where gentle mixing and flocculation occurs. From there, the sludge overflows into the dewatering drum and is pressed. The entire operation is controlled by the Volute Dewatering Press control panel.



*Volute is registered with the U.S. Patent and Trademark Office as a registered trademark of AMCON, Inc., Yokohama, Japan.

THE VOLUTE SYSTEM

The Volute Dewatering Press is designed to be a fully automated system capable of starting up, operating, and shutting down with no operator intervention. This is possible because the control panel is designed to control the automated polymer feed system, the unit sludge feed pump, and any conveyors required to remove dewatered cake, all in addition to the Volute Dewatering Press itself. Thus, all components of the dewatering system work together, automatically starting up, operating, and shutting down as required.

PWTech can provide complete systems or work with other suppliers to provide an integrated package. In addition, unit operating and alarm outputs for connection to plant PLC/SCADA systems are standard.

ADVANTAGES

- No need for thickeners, sludge storage, or separate dosing facilities
- No need for regular operator attendance
- Produces high-quality filtrate, does not need to return to the head works (i.e. high solids recovery)
- Extremely low power consumption—up to 95% less than many other dewatering processes
- Low noise, low odor
- Low wash water consumption
- Able to handle oily sludges
- Flexible—can deal with feed sludges from <0.2% to >4%
- Rapid installation



The Volute Dewatering Press is designed to be fully automated, capable of starting up, operating, and shutting down with no operator intervention.

OPERATION AND MAINTENANCE

The Volute Dewatering Press requires very little operator attention, other than periodic inspection and chemical replenishment. As a fully automated process, it controls the operation of wasting sludge directly from the biological process or clarifier, chemical make-up and dosing, flocculation, and then dewatering. Depending on operating conditions, a partial overhaul of the dewatering drums may be required every three years. This two-hour operation is undertaken in the field, with minimal disruption to plant operation.

Results Achieved with the Volute Dewatering Press

Sludge Type	Feed Solids (%)	Cake Solids (%)	Solids Recovery (%)	Polymer Use (lb/dry ton of solids)
Municipal & Biological				
Waste Sludge	0.2-1.5	17-25	98	10-22
Digested/Thickened	1.8-6	16-28	97	10-16
Primary	1-4	25-40	95	6-12
Potable				
Ferric Sludge	5-10	35-45	95	5-10
Alum Sludge	1-2.5	20-30	95	4-8
Line Slurry	2	25-38	97	4-10



Volute technology was pioneered by AMCON, Inc. and introduced in 1991. It innovates sludge dewatering and sludge thickening by automatically and continuously self-cleaning the filter mesh, eliminating clogging for stable and constant dewatering. Volute technology is available in the U.S. only through PWTech.



Solids generated by the Volute Dewatering Press.

*The AMCON, INC. logo is registered with the U.S. Patent and Trademark Office as a trademark of AMCON, Inc., Yokohama, Japan.

APPLICATIONS

The PWTech Volute Dewatering Press has been installed to handle a wide range of sludges. It is especially useful when sludges have a high oil and fat content that would blind filter materials.

Other sludges the Volute Dewatering Press has been shown to work well on include:

- DAF float from slaughter houses and other agricultural processes
- Food processing and wash-down wastes
- Oil sludge from machining operations
- Wastes from textile processing



PWTech can provide the Volute as part of a complete dewatering solution, including pumps, remote sensors and conveyors, all fully integrated with the digital control panel.

Standard Volute Dewatering Press Models

Model	Maximum Capacities		Dimensions (in.)			Weight (lb)		Power Use (hp)
	GPM	Dry lb/hr	L	W	H	Dry	Operational	
ES101	4	20	88	33	55	330	576	0.4
ES121	8	38	74	33	55	300	610	0.4
ES132	15	75	85	37	55	660	1,075	0.5
ES201	15	80	100	54	61	1,070	1,620	0.5
ES202	28	168	110	42	57	1,495	2,491	1.4
ES301	35	358	139	38	68	1,882	2,942	1.4
ES302	70	709	149	52	84	3,036	4,720	1.0
ES303	105	1,058	158	63	88	4,062	6,611	2.9
ES351	65	709	162	47	89	3,530	5,180	2.8
ES352	130	1,400	178	61	89	5,612	8,643	5.3
ES353	200	2,100	188	83	89	8,505	12,505	8.6
ES354	265	2,800	221	123	89	13,388	20,152	12.0
ES355	330	3,500	227	145	89	15,907	22,509	14.0
ES356	400	4,200	177	155	89	18,685	24,080	16.4

All capacities, dimensions, and weights are approximate. Capacities will vary for different sludge types. Please note that these capacities are maximums. The hydraulic capacity (GPM) would be applicable for sludge with a solids concentration of under 1%. The solids throughput capacity would be applicable for sludge with a solids concentration of over 3%. The press should not be expected to exceed either of these numbers in any installation. Consult PWTech for a more accurate assessment of capacity for your application. Dimensions and power use do not include control panel, polymer make-up, and dosing systems.



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A REVOLUTION IN MUNICIPAL SOLIDS HANDLING

The PWTech Volute Dewatering Press can be set up to achieve both wasting and dewatering of sludge in a single operation. By feeding the Volute Dewatering Press directly from the biological process or the RAS piping the unit can automatically switch on and waste and dewater the sludge in one operation. Key benefits of this include:

- Reduction in operator time with the wasting operation
- No need for sludge storage tanks and additional pumping facilities and odor control—can be used to free up existing sludge storage facilities for other uses
- Increased process stability (wasting can occur over long periods of time or several times a day)
- Direct dewatering prevents additional nutrient load on the treatment plant by removing solids from the system before they break down and release nutrients



Several PWTech Volute Dewatering Press pilot units, such as the ES201 shown here, are available to demonstrate operation at your facility. Contact your local PWTech representative or PWTech directly to arrange this.

Available in your area from:

410-238-7977 • volute@PWTech.us • www.PWTech.us

Cost Savings from Dewatering and Drying

As discussed in the "Design Criteria Memorandum", the Greenfield WPCF does not currently operate any dewatering equipment besides a sludge thickener and disposes of liquid sludge in 9,000 gallon tanker trucks. The City has an agreement with the Franklin County Solid Waste Management District (FCSWMD) for the disposal of sludge at the Lowell wastewater treatment facility that was renewed on July 1, 2021. This agreement did not have a set cost at the time of writing of this report, but recent sludge invoices include a transportation fee at \$0.0648/gallon, a disposal fee at \$0.22/gallon, and an administrative fee at \$0.0035/gallon for a total cost of sludge disposal of \$0.2883/gallon at the Lowell facility. The DPW recorded a total disposal cost of \$544,000 in 2019. The WPCF disposes of between 1,750,000 and 2,100,000 gallons of sludge per year, and the most recent full year data being 2019 at 2,100,000 gallons. For the purposes of the economic analysis, we assume that each year the WPCF will produce approximately 2,100,000 gallons/year (8,745 wet tons/year and 375 dry tons/year) of sludge. At the current disposal cost of \$0.2883/gallon, the WPCF can expect to pay approximate \$605,000 per year assuming no increase sludge volume.

Dewatering and drying reduce the total volume and mass of sludge being disposed. The cost savings analyzed here only account for the cost savings from mass and volume reduction and does not include any additional savings from having a higher quality dewatered sludge or cake, nor does this analysis account for the additional flexibility in disposal sites from having a higher quality sludge. Solely dewatering to 25% total solids cake would reduce the mass of disposed sludge from 8,745 wet tons/year to 1,500 wet tons/year. Based on a survey of wastewater treatment plants in the same region as Greenfield, dewatered cake has an estimated disposal cost of \$135/wet ton, although there is some variability based on disposal contractor, disposal site, and hauling distance. Additionally, we received a budgetary quote from Casella Waste Systems Inc. (Casella) for sludge disposal which ranges between \$120/wet ton and \$185/wet ton. Casella indicated that this wide range of disposal costs is due in part to regulator pressures who have become concerned with odors originating from disposal sites. A biosolids with a more pronounced odor reduces available sites for disposal and therefore increases cost. For the purposes of this economic analysis, dewatered cake disposal costs were assumed to be \$135/wet ton. Disposing of the dewatered cake would cost approximately \$202,000 per year, or a \$403,000 annual savings.

Advanced drying to 90+% solids would reduce the mass of disposed sludge from current thickened sludge from 8,745 wet tons to 415 wet tons/year (375 dry tons/year). Casella provided some guidance on beneficial reuse and land application. Casella stated that the economic impact of land application is hard to estimate due to numerous factors including onsite storage capacity, shipping flexibility, total volume of sludge produced, biosolids quality, and the number of local sites and the application uses. Using a conservative estimate Casella stated a \$100/wet ton cost would be reasonable with potential for even lower costs. Casella also stated that non-beneficial use dried biosolids are typically disposed of at the same rate as the dewatered cake. For the purposes of this economic analysis, we will use the non-beneficial use cost to be conservative, a cost of \$135/wet ton. Disposing of the dried biosolids would cost Greenfield approximately \$54,000 per year, a savings of \$551,000 per year. The bulk of the costs savings comes from the initial mass reduction from dewatering, but additional drying allows for more flexibility in disposal locations and competitive disposal costs.

Dryer System Quotes

Tighe and Bond received quotes from two vendors: Shincci Environmental Services Inc. for an electric belt dryer, and Huber Technology for a thermal heated belt dryer. Each of these vendors provided a quote for a dryer system that is consistent with the design criteria listed in Scenario B in the "Design Criteria Memorandum". Each vendor provided quotes based on a 24 hour/5 day and 8 hour/5 day operation schedule. Each of the quotes is summarized below in Table 2 and includes operation schedule, model, number of units, footprint, capital cost, and heating requirement.

TABLE 2: Drying System Vendor Quotes

Criteria	Shincci		Huber	
Operation Schedule	24/5	8/5	24/5	8/5
System Model	SHS 16200FL	SHS 16200FL	BT6	BT14
Number of Units	1	2	1	1
Footprint (feet)	37' L x 10.1' W x 9.1' H + 6' perimeter for maintenance	37' L x 10.1' W x 9.1' H + 6' perimeter for maintenance	36.1' L x ~8' W	62.3' L x ~8' W
Equipment Cost (\$)	\$940,700	\$1,881,400	\$1,700,000	\$2,500,000
Heating Utility	Electric	Electric	Combustion (assumed NG)	Combustion (assumed NG)
Quantity	2,548 KWH/day	2,548 KWH/day	0.85 MMBTU/hr	2.54 MMBTU/hr
Yearly Total	664,300 KWH/year	664,300 KWH/year	5,300 MMBTU/year	5,300 MMBTU/year

The majority of the operating cost associated with drying systems is the heating duty required. The Shincci dryer uses electricity whereas Huber typically uses combustion or heat transfer from existing stream to heat the air for drying. For the purposes of cost estimation, we assumed natural gas as the combustion media for the Huber dryer. Note that we are aware of potential challenges with obtaining a new natural gas service to the Greenfield WPCF site, and the availability of natural gas would need to be validated prior to proceeding with design and construction of a natural gas fired dryer. A breakdown of the operation costs and opinion of probable construct costs (OPCC) are discussed in the following sections.

Overall Economic Analysis – Dewatering Only

Dewatering of the sludge can be conducted separate from advanced drying. This option is costed separately so that Greenfield can determine if dewatering only or a full dewatering and drying system is appropriate for the facility. The capital cost of the three dewatering systems discussed above are comparable; therefore, we used the median price of \$260,000 for the equipment cost of a single dewatering system. A conceptual opinion of probable construction cost (OPCC) was developed for a dewatering only system at a cost of \$1,700,000 and is shown in detail in Appendix F. The conceptual OPCC includes only work directly related to installation of a dewatering system (no redundancy). During actual design and construction of these systems, Greenfield may elect to include replacement of other ancillary systems to modernize other areas of the treatment plant due to the age and condition of existing systems. For example, the thickened sludge pumps in the basement are 1970's vintage plunger pumps which, although operational and reliable, have reached their useful life expectancy. In addition, the 1960's vintage primary sludge pumps have also reached their useful life

expectancy. For budgeting purposes, Greenfield should assume that replacement of the thickened sludge pumps would be approximately \$100,000, although this could be less if Greenfield self-performs installation work or more if Greenfield includes additional valve replacement work or installation of VFDs. Replacement of the primary sludge pumps would have a similar budgetary value.

In addition to the capital cost, dewatering also has associated operation and maintenance costs. The annual polymer cost was calculated previously in this memorandum, approximately \$6,500/year. To estimate the annual electrical cost, we used the WPCF's electric usage data and past electric bills to calculate the cost per KWH for each billing period. The cost of electricity ranged from \$0.152/KWH to \$0.175/KWH. To be conservative, we assumed the maximum of that range to calculate the annual electrical cost. Dewatering equipment tend to be highly mechanical and maintenance intensive, so it is prudent to include estimated maintenance costs. For the purposes of this analysis, we have assumed an annual maintenance cost of 1.5% of the dewatering equipment cost. These costs for the dewatering equipment are summarized below in Table 3. The total cost for O&M and sludge disposal is \$214,000/year, a per year savings of \$391,000.

To account for O&M costs in the total cost of the project, the present value of the O&M over 20 years is used. The present worth equation can be broken into the annual O&M cost, already summarized, and an A/P factor which is dependent on the borrowing period and the adjusted rate. A 20 year project period is expected. We assumed a 2% inflation rate and a 3.5% discount rate which gives a 1.5% adjusted rate, and a final A/P factor of 17.17 and a present worth of \$3,674,000 for 20 years of O&M and sludge disposal costs. The total present value of the OPCC and O&M cost is \$5,374,000.

This project has an estimated payback period of 4.3 years. To estimate the payback period, we calculated the annual disposal savings by subtracting the total annual O&M costs from the costs of sludge disposal with no dewatering system. This annual disposal savings was then used to divide the OPCC to calculate the number of years required for the savings to pay for the project. Typical payback periods are 10 to 15 years, so the addition of sludge dewatering appears to be a favorable project for the Greenfield WPCF.

TABLE 3: Summary of Economic Analysis

Criteria	Dewatering System
O&M Costs	
Polymer Cost (\$/year)	\$6,500
Electric Cost (\$/year)	\$1,000
Maintenance Cost (\$/year)	\$4,000
Sludge Disposal Cost (\$/year)	\$202,500
Subtotal Annual O&M Cost (\$/year)	\$214,000
Annual Disposal Savings (\$/year)	\$391,000
A/P Factor	17.17
Present Worth over 20 years	\$3,674,000
OPCC Cost Subtotal	\$1,700,000
Total Present Value	\$5,374,000
Payback Period (Years)	4.3

ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST

Tight & Bond

Project: Dewatering Improvements Project - Installation of Two Screw Presses
 Location: Wastewater Treatment Plant
 Client: Greenfield, MA

Estimate Type: ☒ Conceptual ☐ Construction
☐ Preliminary Design ☐ Change Order
☐ Design Development ☐ 0 % Complete

Prepared By: EL / CCB

Date Prepared: 8/22/2022

T&B Project No.: G0653

Estimate originally prepared in July 2021. Certain items have been revised based on August 2022 pricing.

An 8% escalation has been added to obtain a January 2023 budget estimate.

Spec. Section	Item No.	Description	Qty	Units	Material/Installed Cost		Installation		Total
					\$/Unit	Total	\$/Unit	Total	
DIVISION 1 - GENERAL CONDITIONS					(Costs included in unit prices in other Divisions)				
	1	15% of Construction Subtotal	1	LS	\$313,100	\$313,100		\$0	\$313,100
SUBTOTAL - DIVISION 1						\$313,100		\$0	\$313,100
DIVISION 2 - SITE WORK									
0225	1	Selective Demolition							
	a	Vacuum Filters and Associated Equipment	1	LS	\$30,000	\$30,000		\$0	\$30,000
	b	Miscellaneous Selective Demolition	1	LS	\$5,000	\$5,000		\$0	\$5,000
	c	Demolish Sludge Loading Canopy	1	LS	\$10,000	\$10,000		\$0	\$10,000
	d	Miscellaneous Electrical Demolition	1	LS	\$5,000	\$5,000		\$0	\$5,000
SUBTOTAL - DIVISION 2						\$50,000		\$0	\$50,000
DIVISION 3 - CONCRETE									
0330	1	Cast in Place Concrete							
	a	Wall Footings	10	CY	\$1,000	\$10,000		\$0	\$10,000
	b	Foundation Walls	10	CY	\$1,500	\$15,000		\$0	\$15,000
	c	Slab-on-Grade	30	CY	\$1,000	\$30,000		\$0	\$30,000
	d	Site Concrete Pads/Aprons	10	CY	\$800	\$8,000		\$0	\$8,000
	e	Misc. Concrete Housekeeping Pads	10	CY	\$800	\$8,000		\$0	\$8,000
SUBTOTAL - DIVISION 3						\$71,000		\$0	\$71,000
DIVISION 4 - MASONRY									
0460	1	Unit Masonry Assembly							
	a	Miscellaneous CMU Wall Repairs	1	LS	\$5,000	\$5,000		\$0	\$5,000
SUBTOTAL - DIVISION 4						\$5,000		\$0	\$5,000
DIVISION 5 - METALS									
0550	1	Misc. Steel	1	LS	\$5,000	\$5,000		\$0	\$5,000
SUBTOTAL - DIVISION 5						\$5,000		\$0	\$5,000
DIVISION 6 - WOOD & PLASTICS									
0650	1	Fiberglass Products							
	a	FRP Grating in Polymer Area	1	LS	\$5,000	\$5,000		\$0	\$5,000
SUBTOTAL - DIVISION 6						\$5,000		\$0	\$5,000
DIVISION 7 - THERMAL & MOISTURE PROTECTION									
0720	1	Building Insulation - Foundation Insulation	1	LS	\$5,000	\$5,000		\$0	\$5,000
0750	2	Joint Sealants	1	LS	\$5,000	\$5,000		\$0	\$5,000
SUBTOTAL - DIVISION 7						\$10,000		\$0	\$10,000
DIVISION 8 - DOORS AND WINDOWS									
0810	1	Steel Doors & Frames	4	EA	\$3,000	\$12,000		\$0	\$12,000
0830	2	Overhead Ceiling Doors	1	LS	\$10,000	\$10,000		\$0	\$10,000
SUBTOTAL - DIVISION 7						\$22,000		\$0	\$22,000
DIVISION 9 - FINISHES									
0950	1	Painting - Piping and Miscellaneous Items	1	LS	\$10,000	\$10,000		\$0	\$10,000
SUBTOTAL - DIVISION 9						\$10,000		\$0	\$10,000
DIVISION 10 - SPECIALTIES									
1040	1	Signage	1	LS	\$500	\$500		\$0	\$500
SUBTOTAL - DIVISION 10						\$500		\$0	\$500
DIVISION 11 - EQUIPMENT									
1130	1	Polymer Mixing System, Controls, 2 Sludge Presses	1	LS	\$405,000	\$405,000	\$121,500	\$121,500	\$526,500
SUBTOTAL - DIVISION 11						\$405,000		\$121,500	\$526,500

DIVISION 13 - SPECIAL CONSTRUCTION									
13125	1	Pre-Engineered Building	800	SF	\$300	\$240,000		\$0	\$240,000
13228	2	Odor Control System for Sludge Loading Garage	1	LS	\$115,000	\$115,000	\$46,000	\$46,000	\$161,000
13281	3	Asbestos Abatement	1	LS	\$10,000	\$10,000		\$0	\$10,000
13283	4	Hazardous Material Abatement	1	LS	\$5,000	\$5,000		\$0	\$5,000
13420	5	Instrumentation							
	a	Sludge and Polymer Flow Transmitters	2	EA	\$2,500	\$5,000	\$2,000	\$4,000	\$9,000
13460	6	Programmable Logic Controllers (PLCs)	1	LS	\$30,000	\$30,000		\$0	\$30,000
SUBTOTAL - DIVISION 13						\$405,000		\$50,000	\$455,000
DIVISION 14 - CONVEYING SYSTEMS									
14552	1	Screw Conveyors							
	a	Dewatering Outlet Screw Conveyor 1	35	LF	\$2,000	\$70,000	\$25,000	\$25,000	\$95,000
	b	Dewatering Outlet Screw Conveyor 2	15	LF	\$2,000	\$30,000	\$12,000	\$12,000	\$42,000
	c	Garage Cross-Conveyor	20	LF	\$2,000	\$40,000	\$16,000	\$16,000	\$56,000
	d	Truck Loading Screw Conveyor and Gates	25	LF	\$3,000	\$75,000	\$30,000	\$30,000	\$105,000
SUBTOTAL - DIVISION 14						\$215,000		\$86,000	\$301,000
DIVISION 15 - MECHANICAL									
15060	1	Pipe Hangers and Supports	1	LS	\$3,000	\$3,000			\$3,000
15075	2	Mechanical Identification	1	LS	\$1,000	\$1,000			\$1,000
15101	3	Ductile Iron Pipe and Fittings							
	a	6" DI Pipe	75	LF	\$200	\$15,000			\$15,000
	b	1" SCH80 PVC Polymer Pipe	100	LF	\$120	\$12,000			\$12,000
	c	1" CU Make-Up Water to Polymer System Pipe	50	LF	\$120	\$6,000			\$6,000
15110	4	Valves							
	a	6" Plug Valves	2	EA	\$1,500	\$3,000			\$3,000
	b	Miscellaneous PVC and Brass Valves	1	LS	\$5,000	\$5,000			\$5,000
15125	5	Meters & Gauges	1	LS	\$2,000	\$2,000			\$2,000
15150	6	Drain Piping to Polymer Curb	1	LS	\$10,000	\$10,000			\$10,000
15150	7	Drain Piping for Sludge Loading Garage	1	LS	\$25,000	\$25,000			\$25,000
15700	8	Sludge Loading Garage Odor Control System Duct	50	LF	\$300	\$15,000			\$15,000
15700	9	Sludge Loading Garage HVAC Allowance	1	LS	\$50,000	\$50,000			\$50,000
15700	10	Dewatering Room HVAC Allowance	1	LS	\$25,000	\$25,000			\$25,000
SUBTOTAL - DIVISION 15						\$172,000		\$0	\$172,000
DIVISION 16 - ELECTRICAL									
16000	1	Electrical Allowance (10% of Div 11, 13 and 14)	1	LS	\$141,075	\$141,075			\$141,075
16000	2	VFDs for Sludge Pumps	2	EA	\$25,000	\$50,000			\$50,000
16000	3	Miscellaneous Electrical Demolition	1	LS	\$10,000	\$10,000		\$0	\$10,000
16000	4	MCC-2 Replacement	1	LS	\$225,000	\$225,000			\$225,000
16000	5	Sludge Loading Garage Electrical	1	LS	\$50,000	\$50,000			\$50,000
SUBTOTAL - DIVISION 16						\$476,075		\$0	\$476,075
SUBTOTAL									\$2,422,175
ESCALATION TO JANUARY 2023 @ 8%									\$193,774
TOTAL ESTIMATED CONSTRUCTION COST									\$2,615,949
CONTINGENCY @ 20% OF TOTAL CONSTRUCTION COST									\$523,190
ENGINEERING @ 15% OF TOTAL CONSTRUCTION COST									\$392,392
PROJECT TOTAL									\$3,531,531
								Say	\$3,530,000

Note: This is an Engineer's Opinion of Probable Construction Cost (OPCC). Tighe & Bond has no control over the cost or availability of labor, equipment or materials, or over market conditions or the Contractor's method of pricing, and that the estimates of probable construction costs are made on the basis of Tighe & Bond's professional judgment and experience. Tighe & Bond makes no guarantee nor warranty, expressed or implied, that the bids or the negotiated cost of the Work will not vary from this estimate of probable construction cost.

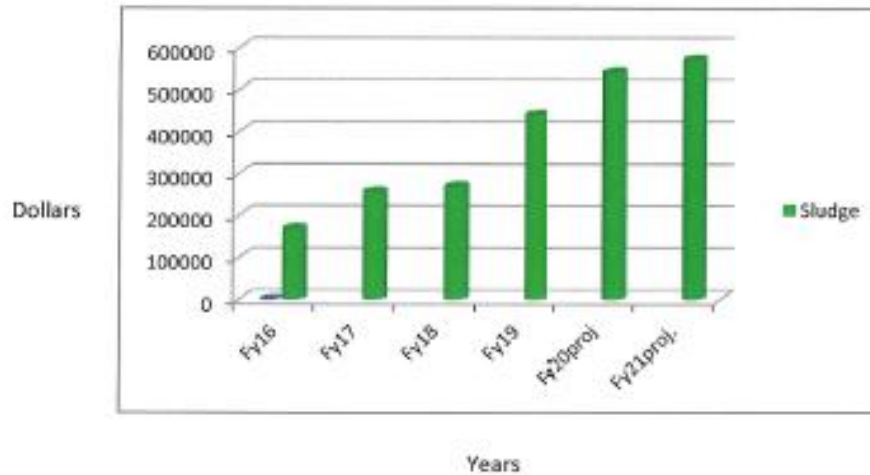






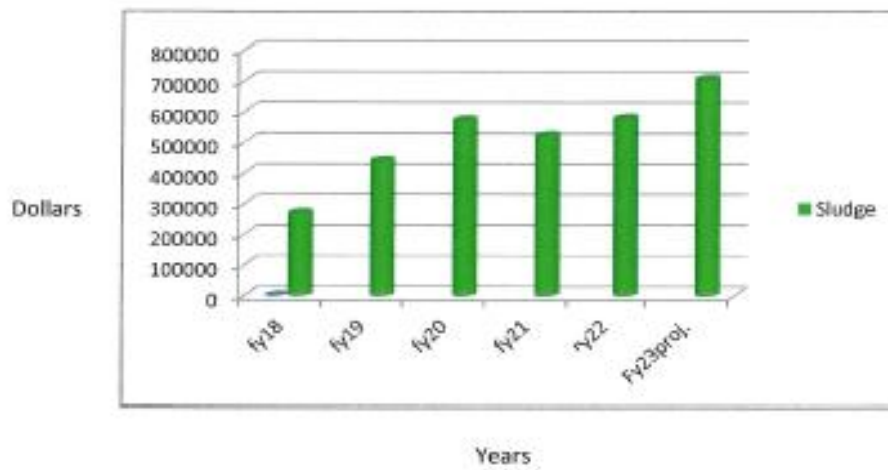


Sludge Disposal Costs
FY16-FY21



	Fy16	Fy17	Fy18	Fy19	Fy20proj	Fy21proj.
Sludge	168,879	256,000	268,645	439,064	540,000	570,000

Sludge Disposal Costs
FY18-FY23



	fy18	fy19	fy20	fy21	FY22	FY23proj.
Sludge	268,645	439,064	571,279	520,841	576,615	703,875

CITY of GREENFIELD
MASSACHUSETTS

Councilor _____ :
Second by Councilor _____ :

The City Council,

Upon recommendation of Mayor Wedegartner and in accordance with
Massachusetts General Laws,

An Order to:

Repurpose Dredging Leyden Glen Appropriation to Water Main Projects

Moved that it be ordered,

That the Greenfield City Council approves repurposing the amount of \$727,287.66
previously authorized for the Dredging of Leyden Glenn to Water Main Projects.

Majority Vote Required

VOTE:

Explanation or supporting rationale:

Balance: 49214990.5840 Dredging Leyden Glenn \$727,287.66

The water main replacements are necessary to mitigate low flow, provide improved fire
protection and to add needed redundancy as detailed in the DPW Superintendent's
attached memo.

Attachments: DPW Superintendent Memo
 Munis Report



Roxann Wedegartner
Mayor

City of
GREENFIELD, MASSACHUSETTS

Department of Public Works

Marlo M. Warner II

Director of Public Works

189 Wells Street • Greenfield, MA 01301

Phone 413-772-1528 • marlo.warner@greenfield-ma.gov • www.greenfield-ma.gov

November 28, 2022

To: City Council
From: Marlo Warner

RE: Repurpose Dredging Appropriation

Dear City Council,

I would like to request the sum of \$727,287.66 be repurposed to water main projects from the Leyden Glen dredging appropriation. The dredging project is complete and closed out. The funding for this project has been borrowed.

Soundings were used to determine the amount of organic material to be removed revealed approximately 40-50 thousand yards back in 2018. Once the Leyden Glen was drained it was determined through surveying that 10-15 thousand yards was to be removed. The total dredging project cost was \$284,391.17. There was an FY18 dredging appropriation that had a balance of \$71,678.83 that was used towards the project. The FY21 dredging appropriation was for \$940,000 and the remainder of the project cost was used out of this appropriation leaving a balance of \$727,287.66.

There are two water main projects on my current FY24 capital requests totaling 1.2 million dollars. I have also requested \$400,000 out of retained earnings in my FY24. The repurposed dredging funds combined with the additional \$400,000 will be enough to cover both needed water main projects.

The two projects consist of the water main replacement on Newell Pond Road and installation of a water main on Nash's Mill Road. The water main on Newell Pond Road is a 1929 six inch main that is undersized and turberculated causing low flow and needs to be upgraded to an eight inch to meet industry standard and improved fire protection in this area.

The addition of the water main on Nash's Mill Road will add much needed redundancy to our water system feeding the northwest section of the City. Currently this section is fed by one water main and in the event of a failure the northwest section of the City will have little to no water pressure.


*The City of Greenfield is an Affirmative Action/Equal Opportunity Employer,
a designated Green Community and a recipient of the "Leading by Example" Award*

Currently water pipe and hydrants will take 6-7 months for delivery, repurposing this funding now will give us the opportunity to procure and complete the Newell Pond water main in the upcoming construction season. The Nash's Mill project would start in the upcoming construction season and be completed in the spring of 2024.

Thank you for your consideration in advance.

Marlo M. Warner II

Director of Public Works



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11/29/2022 14:09
6907lgil

Town of Greenfield
DREDGING LEYDEN GLENN 11-29-22

P
glytdbud

FOR 2023 13

4921 FY21 Water Capital Outlays

49214990 5840 Dredging

TOTAL FY21 Water Capital Outlays

TOTAL EXPENSES

GRAND TOTAL

ORIGINAL APPROP	TRANSFRS/ ADJUSTMS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
940,000	0	940,000	212,712.34	.00	727,287.66	22.68
940,000	0	940,000	212,712.34	.00	727,287.66	22.68
940,000	0	940,000	212,712.34	.00	727,287.66	
940,000	0	940,000	212,712.34	.00	727,287.66	22.68

** END OF REPORT - Generated by Liz Gilman **