

MONTAGUE SELECTBOARD MEETING
Montague Town Hall, Upstairs Meeting Room and VIA ZOOM
Monday, August 7, 2023 at 6:00 PM

Meeting was opened at 6:00 PM. Present were Selectboard members Rich Kuklewicz, Chris Boutwell, and Matt Lord; Town Administrator Steve Ellis; Executive Assistant Wendy Bogusz; Assistant Town Administrator Walter Ramsey; CWF Superintendent Chelsey Little; DPW Superintendent Tom Bergeron; CSO Lead Operator Kyle Bessette; Town Planner Maureen Pollock; and Town Accountant Carolyn Olsen.

Selectboard Chair opens the meeting at 6:00 PM.

Approve Selectboard Minutes from July 10 and 24, 2023

Boutwell makes the motion to approve the Selectboard Minutes from July 10 and 24, 2023 as presented. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye

Public Comment Period: Individuals will be limited to two (2) minutes each and the Selectboard will strictly adhere to time allotted for public comment

None

Chelsey Little, Clean Water Facility Superintendent

• **Permit Results Summary June and July 2023**

Little reviews summary and states we are meeting our parameters for our permit.

• **Execute and sign memorandum of understanding (MOU) x2 with Franklin County Solid Waste Management (FCSWMD) for hauling and accepting liquid sludge**

Lord makes the motion to execute the two MOUs with Franklin County Solid Waste Management (FCSWMD) for hauling and accepting liquid sludge. Seconded by Kuklewicz, approved. Lord - Aye, Kuklewicz - Aye, Boutwell - Abstain

• **Draft Permit Update-Timeline**

EPA is looking at issuing our permit officially around September, which means it would go into effect around December

• **Boiler Replacement Project Update**

- We received a bid that was higher than the quote that we got initially.
- Little contacted Lime Green Heat (the only bidder). The owner came down to the facility, who ended up giving us a new quote (\$308,000).
- The owner thinks that we can still do the wood pellet boiler, but we would also have to have gas boilers to help supplement peak loading times.
- Little feels that we should have an HVAC engineer come in and tell us what we need for the system.
- Little will plan for emergency heating for the building during the winter.

• **Generator Project Update**

- We have four interested vendors. We will have an idea on August 21 what the bids are. T
- The project will be a year out before it is completed.

• **Sewer use rate setting pre-discussion; industrial vs. residential adjustment and flat rate**

- Little is looking at proposing having the industrials be on what normal residents pay.
- We are doing a rate study analysis, which should give us a lot of information about our rates and how they may be restructured in the future.
- Little reports that several people have commented on the flat rate being an inflated rate.

Tom Bergeron, DPW Superintendent

• **Introduce Collection System Lead Operator, Kyle Bessette**

Bergeron informs the Board that Kyle Bessette is now going to be our Collection System Lead Operator. He has been working for the DPW for eight years.

• **Hear Report of Collection System Activities to Date**

Bessette and Bergeron share information about the routine inspections:

- Checking CSOs monthly and logging them into a spreadsheet
- Investigation work (figuring out where everything goes), especially in the draining system
- Using a sewer camera to check the sewer lines

• **Discuss Impact of Staff Vacancies on Collection System Support, Long-Term Needs**

- Bergeron states that he is still short two Truck Driver/Laborers.

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- With his new position, Bessette is not always available to help out.
- Bergeron keeps putting out ads. There have been a few interested individuals, but they do not have the CDLs.
- There is no one available that has all the licenses for the Equipment Operator position.

Steve Ellis, Town Administrator

- **Additional Near-Term Priorities/Needs Identified through Sewer Commission Retreat**
Priority Agreement for FY24 Special Town Meetings
 - **Consultant Assistance with Collections Systems Regulatory Compliance Issues**
 - **Annual Reporting and Sewer Regulatory Compliance Issues**
We need to understand and build capacity to envision what it takes to get to the regulatory requirements. This project would include our sewer regulation redevelopment review. This is a \$70,000 project.
 - **Collection System Operation & Maintenance Assessment and Plan (\$35,000)**
We need to develop a Capacity Maintenance Operation Management Plan (CMOM). This extends to all the catch basins that connect to the sanitary sewer. This is a \$35,000 plan.
 - **Sewer Grit Drying Pad (STBD)**
 - We are trying to get to a final design that is acceptable to DEP.
 - Ramsey states that we are trying to figure out the best way to connect it to the sewer system.
 - We hope to have a cost estimate in advance of the Town Meeting Warrant closing.
 - **Clean Water Facility: Operations Building Ventilation/HVAC (STBD)**
 - Kuklewicz states we will need to develop an RFP from engineering firms.
 - Lord feels that there is probably going to be a need to look to a different source of funding for major capital improvements like HVAC and boiler improvements. He discusses looking into the Enterprise Fund, General Fund revenues, and capital stabilization costs.
 - **Collection System Regulatory Compliance and Management Expertise**
Ellis states that we want to be prepared to wholly meet our obligations for collection systems management and our reporting for collection systems management. He is going to put in an application to the Community Engineering Corps for a professional regulatory review and assessment.

Seth Rutherford, 253 Organic, LLC

Request to amend host community agreement to add Medical Cannabis License from the Agreement Cannabis Control Commission

The Board decides to refer 253 Organic's request to amend the host agreement to the Planning Board, and request that they conduct a community outreach session to consider a modification of the agreement. Ellis and Lord will work with Rutherford to see whether we need a second HCA or if we need to amend the existing HCA.

Personnel Board

- **Consider MOA with NAGE Union**
Boutwell makes the motion to approve the Memorandum of Agreement with the NAGE Union dated August 7, 2023. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye
- **Notice of Finance Committee Review of Stipends for FY25 Budget**
Ellis makes the Board aware that the Finance Committee is reviewing the stipends for the FY25 Budget, which occurs every five years.
- **Execute Agreement in the amount of \$35,000 with the UMass Collins Center for Public Management for a Classification and Compensation Review**
Boutwell makes the motion to execute the Agreement in the amount of \$35,000 with the UMass Collins Center for Public Management for a Classification and Compensation Review and authorize the Chair to sign it. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye
- **Discuss Proposal to Implement Longevity Benefit for Non-Union Staff**
 - Ellis and Olsen discuss the Proposal to Implement Longevity Benefit for Non-Union Staff.
 - The Board decides to place the Proposal on the Town Meeting Warrant.
- **Appoint Robert Obear to the Zoning Board of Appeals, term ending 6/30/2024**
Boutwell makes the motion to appoint Robert Obear to the Zoning Board of Appeals, term ending 6/30/2024. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye

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Maureen Pollock, Town Planner

- **Planning Board Petition to Initiate Zoning Amendment: re-district two parcels of land along Turnpike Road, including Parcel #21-0-152 and Parcel #21-0-004 from Neighborhood Business (NB) Zoning District to General Business (GB) Zoning District**
Boutwell makes the motion to accept the Planning Board Petition to Initiate Zoning Amendment: re-district two parcels of land along Turnpike Road, including Parcel #21-0-152 and Parcel #21-0-004 from Neighborhood Business (NB) Zoning District to General Business (GB) Zoning District; and to ask the Planning Board to begin the process. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye
- **Execute professional services agreement with VHB Consultants to conduct a market study for Farren Property. Contract value not to exceed \$35,000, to be funded by a FY24 Community Planning Grant**
Boutwell makes the motion to execute the professional services agreement with VHB Consultants to conduct a market study for Farren Property, contract value not to exceed \$35,000, to be funded by a FY24 Community Planning Grant; and to authorize the Chair to sign it. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye

ARPA Expenditure Request

- **Cultural Council-Request for up to \$18,000 over the next two years to match annual state grant allocation for cultural programming in FY24 and 25**
Boutwell makes the motion to authorize up to \$18,000 over the next two years to match the annual state grant allocation for cultural programming in FY24 and 25. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye
- **RiverCulture-Request for up to \$7,350 to hire a consultant to conduct a strategic plan for the RiverCulture Program**
This topic will be discussed at the next meeting.
- **Both requests to be funded from the "Economic/Community Development Recovery" tranche, current unencumbered balance is \$101,212**
The first request is funded from the "Economic/Community Development Recovery" tranche.

Special Town Meeting

- **Establish Fall Meeting Date**
Scheduling of the Fall Town Meeting is postponed for now.
- **List Potential Capital Requests**
Postponed for now.
- **Identify Other Warrant Items**
Postponed for now.

Walter Ramsey, Assistant Town Administrator

- **Montague City Road Flooding Project Update**
 - We have both the State and the Federal permit in hand.
 - Davenport is in the process of reviewing those permits.
 - Davenport indicated that they may have time to do this project in September.
 - Our funding goes through March of next year.
 - One of the conditions in the Federal permit is they are looking for mitigation regarding impact on the wetlands. Ramsey states that we have an agreement whereby if the wetlands are restored after the project, we don't have to do a mitigation. By design, the wetlands should be restored and functioning.
- **Burn Dump Updates**
 - Ramsey was at the site last week with Mass DEP officials and our engineers.
 - The engineers are in the process of designing a remediation plan due to damage during the heavy rains.
 - The DEP wetland section is in the process of developing an Order to Correct.
 - GZA, the designers, are working this into their construction oversight and admin portion of the contract. They are keeping the cost down to an absolute minimum.
 - The plan is to keep monitoring the embankments and shoring them up as needed.
- **Millers Falls Road embankment storm damage**

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With regard to the embankment that had collapsed back in 2019, DPW and Ramsey inspected the embankment and found that there was some settling towards the bottom of the stone embankment. There is no new erosion being caused. Last week DPW, Pollock, and FirstLight went to the site. FirstLight is okay with the Town just monitoring the area. The general approach is to come up with a longer-term strategy, maybe get an expert to make a recommendation, and address this through the capital planning process.

Town Administrator Business

- **Execute grant documents related to a Community Facilities Grant for a DPW pickup truck with sander, up to \$43,000**

Boutwell makes the motion to authorize the Chair to sign the Community Facilities Grant, the Letter of Intent to meet conditions, and any subsequent related paperwork. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye

- **Update on Cannabis Retail Sale Tax Revenues**

Our year-to-year Cannabis Retail Revenues for the quarters of March-May and June-August combine to be about \$165,000 in 2022, and in 2023 they combined to be about \$93,000. This means that the pace of growth of the level of refunding that is going into our Town Capital Stabilization is going to slow down somewhat.

- **Update on PFAS Settlement/Litigation**

The law firm that is managing this class action suit focuses specifically on water enterprises. Ellis has been working with Turners Falls Water and Montague Center Water to make sure that they are positioned to take advantage of this. The total non-detect of PFAS in the Turners Falls system and the detects that have been seen in the Montague Center wells have been less than ¼ of what the limit is. Turners Falls and Montague Center may or may not choose to enter into this suit. Ellis has encouraged both to engage directly with the law firm.

- **Review Draft Agreement for Division of GMTA Bus Maintenance Facility Proceeds**

- Ellis has been in touch with DPU, which has operations oversight over the GMTA area, to clarify whether we need to get their approval for division of any remaining assets as well as for disbandment. They responded that they are "ready to write us off the books."

- The City of Greenfield has not yet acted upon our proposed agreement. The agreement locks into the historical distribution of assets and liabilities between Montague (30.7%) and Greenfield (69.3%).

- *Boutwell makes the motion to execute and sign the Agreement for Division of GMTA Bus Maintenance Facility Proceeds. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*

- **FirstLight Begins Assessment of Long-Term Bascule Gate Piston Leak Solution**

Ellis reports that there have not been any new leaks or issues, but we can expect to see staging there. Tighe and Bond are going to be doing an assessment to see whether or not it makes sense to remove and replace in kind, or whether a different technology approach needs to be implemented to avoid future failures.

- **Topics not anticipated within the 48-hour posting**

None

OTHER:

Next Meeting: Selectboard, Monday, August 21, 2023 at 6:30 PM, via ZOOM

Boutwell makes the motion to adjourn the meeting at 8:35 p.m. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye