

**SPECIAL TOWN MEETING
TOWN OF MONTAGUE
COMMONWEALTH OF MASSACHUSETTS
October 14, 2021**

NOTE: ARTICLES IN RED ARE TIME-SENSITIVE

Franklin, ss.

To either of the Constables of the Town of Montague in the County of Franklin:

GREETING:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of the Town of Montague qualified to vote in Town affairs to meet in the Turners Falls High School Theater, 222 Turnpike Road, Turners Falls, Massachusetts, on **Thursday, October 14, 2021**, at 6:30 P.M. and to act on the following articles and any motions which may be presented.

~~**ARTICLE X.** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of **\$X**, or any other amount, for the purpose of making emergency repairs to town cemeteries, including any and all incidental and related costs, or pass any vote or votes in relation thereto.~~

~~(Cemetery Commission Request)~~

~~**Proposed Motion: MOVED:** That the Town vote to appropriate the sum of **\$X** for the purpose of making emergency repairs to town cemeteries, including any and all incidental and related costs, said sum to be raised from Cemetery Sale of Lots.~~

~~**Background:** With the receipt of the Highland Cemetery property, the Cemetery Commission also received the funds from the previous sales of Highland Cemetery lots. MGL requires that these funds be appropriated prior to use. As the current Cemetery budget does not include money for emergency expenses for repairs (such as if a tree fell and obstructed access), the Cemetery Commission would like to be able to access the Sale of Cemetery Lots funds to pay for such items, but would prefer not to have to wait for a Town Meeting to authorized that use. This article moves the funds to a special article that the Cemetery Commission can then use without further Town Meeting approval. **TL;DR** This makes it easier for the Cemetery Commission to deal with emergencies.~~

~~**Note:** This is a placeholder and may be withdrawn as the Cemetery Commission will likely not meet to discuss this prior to the warrant article deadline.~~

~~**ARTICLE X:** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$1,132.98, or any other amount, for the purpose of paying the prior year bill of the DCR Wood Bank Grant, or pass any vote or votes in relation thereto.~~

It appears that the process to request grant reimbursement is finally underway, and this article is no longer needed at this time.

ARTICLE 1: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$13,367.33, or any other amount, for the purpose of paying a prior year bill of the WPCF, or pass any vote or votes in relation thereto.

(WPCF Request)

Proposed Motion: MOVED: That the Town vote to appropriate the sum of \$13,367.33 for the purpose of paying a prior year bill of the WPCF, said sum to be raised from WPCF Retained Earnings.

Background: After the vendor was specifically asked to present all FY21 bills by 7/15/21, a FY21 bill was received in August, after the books had been closed. MGL requires that payments of prior year bills be approved by Town Meeting with a 9/10 majority vote. The services were received and there's no legal reason not to pay the bill.

ARTICLE 2: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$1,300, or any other amount, for the purpose of increasing the Fiscal Year 2022 Finance Committee budget to allow for clerical assistance to take minutes, or pass any vote or votes in relation thereto.

(Finance Committee Request)

Proposed Motion: MOVED: That the Town vote to appropriate the sum of \$1,300 for the purpose of increasing the Fiscal Year 2022 Finance Committee budget to allow for clerical assistance to take minutes, said sum to be raised from Free Cash.

Background: While most boards and committees have access to clerical staff or members who are willing to take minutes, the Finance Committee, much like the Selectboard, have more meetings, and more complicated minutes, than many of the other boards and committees. It is very difficult to participate in an hours long meeting while also being responsible for taking minutes, and after much thought and consideration, the Finance Committee has engaged a scribe to handle minutes on a short term basis. It seems to be working well, but there is not enough money in the

current budget to continue this through the end of the fiscal year. The Finance Committee considers this a modest cost to ensure timely and accurate minutes.

ARTICLE 3: To see if the Town will vote to rescind the unused \$102,000 borrowing authority as voted pursuant to Article #28 of the May 17, 2016 Annual Town Meeting, which appropriated \$385,000 for the purpose of abating hazardous and asbestos containing materials within the Strathmore Mill Complex, or to pass any vote or votes in relation thereto.

(Accountant Request)

Proposed Motion: MOVED: That the Town vote to rescind the unused \$102,000 borrowing authority as voted pursuant to Article #28 of the May 17, 2016 Annual Town Meeting.

Background: This project was funded by borrowing and completed under budget. This is a housekeeping article to rescind the unused borrowing authority and the related unused appropriation. There is no actual financial impact.

ARTICLE 4: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$7,719.12, or any other amount, which represents the net premium paid to the Town upon the sale of the Town's \$1,812,000 DPW Facility Bond Anticipation Note dated September 23, 2020, to pay costs of the DPW facility authorized by the vote of the Town passed March 29, 2018, and to reduce the amount authorized to be borrowed for such project by such amount, as set forth in M.G.L. c. 44, §20 or any other applicable law, or pass any vote or votes in relation thereto.

(Accountant Request)

Proposed Motion: MOVED: that the Town vote to appropriate the sum of \$7,719.12 to pay the costs of the DPW facility authorized by the vote of the Town passed March 29, 2018, and to reduce the amount authorized to be borrowed for such project by such amount, as set forth in M.G.L. c. 44, §20 or any other applicable law, said sum to be raised from Fund Balance Reserved for Excluded Debt.

Background: When premiums are received from the issuance of debt, the funds go to the General Fund, but they are required to be applied to the funded project (to reduce the amount to be borrowed), which is done through a different fund. This article simply moves the premiums from the General Fund to the Capital Project Fund and allows for the payment, which results in a lower borrowing amount.

ARTICLE 5: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$12,500, or any other amount, for the purpose of purchasing and installing cable related equipment for MCTV and anything incidental or related thereto, or pass any vote or votes in relation thereto.

(Selectboard Request)

Proposed Motion: MOVED: That the Town vote to appropriate the sum of \$12,500 for the purpose of purchasing and installing cable related equipment for MCTV and anything incidental or related thereto, said sum to be raised from PEG Access Funds.

Background: This is an annual appropriation, required by statute to pass the fees received by the Town (from the cable contract for capital expenses) to MCTV, where they are actually spent.

ARTICLE 6: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$135,000 or any other amount for the purpose of implementing the Montague City Road Flooding Relief Project and anything incidental or related thereto, or pass any vote or votes in relation thereto.

(Director of Planning Request)

Proposed Motion: MOVED: that the Town vote to appropriate the sum of \$135,000 for the purpose of implementing the Montague City Road Flooding Relief Project and anything incidental or related thereto, said sum to be raised from Free Cash.

Background: Montague City Road flooding has been a longstanding issue, presenting a notable public safety hazard and also submerging sewer drain structures, leaving them vulnerable to inflow and infiltration (I&I). At large scale, I&I can result in wastewater permit compliance issues. The Town leveraged a state Municipal Vulnerability Planning grant to engineer a solution to the problem and now seeks to move forward with its implementation.

The total project cost is estimated at \$365,640. The Town secured a \$237,287 grant from the FEMA Pre-Disaster Mitigation Program to cover the majority of cost, but two successive state grant applications were rejected, leaving a portion (\$128,353) of the project unfunded. The Planning Department recommends additional contingency, rounding the STM request up to \$135,000 to account for potential cost escalation since the estimate was issued in 2019. This appropriation is timely because the terms of the FEMA grant require the work be completed by the end of the 2022 construction season, which will require the project to be bid this winter.

Note that this project may be ARPA-eligible and the Selectboard may therefore have the ability to deploy a portion of that available funding in lieu of spending against this article or to supplement its funding in the event bids exceed the available grant and appropriation.

ARTICLE 7: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$114,382, or any other amount, for the purpose of purchasing and setting up a robotic sewer camera and anything incidental or related thereto, or pass any vote or votes in relation thereto.

(DPW Superintendent Request)

Proposed Motion: MOVED: That the Town vote to appropriate the sum of \$114,382, or any other amount, for the purpose of purchasing and setting up a robotic sewer camera and anything incidental or related thereto, said sum to be raised from Free Cash.

Background: This camera will allow the DPW to much more fully investigate issues within the Town's sewer system. The remote video device has a range up to 1000 feet, and the ability to elevate above existing flow, providing quality video footage that can be used on the scene, but also saved and stored in a GIS mapping system. It will allow the DPW to immediately ascertain problem areas, and locate breaks and clogs while in the field, which eliminates the need for exploratory digging. The extended reach of the camera will allow a more thorough mapping of the existing system and its structures, some of which are not in viewable locations and are not documented in existing maps. Additionally, the camera will allow the DPW to identify inflow and infiltration locations and sources, and best determine how to fix them.

The Capital Improvements Committee has preliminarily reviewed this article and will be considering it further at its September 29 meeting, as the committee saw a need for additional information and time to consider this solution.

~~**ARTICLE XX:** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sums of \$110,000, or any other amount, for the purpose of repaying the town for the 7/11/2018 Reserve Fund Transfer to the WPCF, or pass any vote or votes in relating thereto. (FC voted to ask SB for 5 year repayment via reduction of annual taxation subsidy). This would be funded from WPCF Retained Earnings.~~

DOR has advised that this cannot be done, and the article has been removed from the warrant.

ARTICLE 8: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$200,000, or any other amount, for the purpose of increasing the WPCF Capital Stabilization Fund, or pass any vote or votes in relating thereto.

(Finance Committee Request)

Proposed Motion: MOVED: That the Town vote to appropriate the sum of \$200,000, for the purpose of increasing the WPCF Capital Stabilization Fund, said sum to be raised from WPCF Retained Earnings.

Background: The Town seeks to use retained earnings from unspent funds in the prior fiscal year to fund the Water Pollution Control Facility's (WPCF) capital stabilization account. This account is available to support capital projects as they are identified – whether through plan or through emergent conditions. It is both unusual and inadvisable to manage a capital intensive operation such as wastewater treatment without adequate reserves, and this is a step toward rebuilding them.

Having funds in the WPCF enterprise fund's capital stabilization account helps guard against the potential for mid-year rate increases due to unplanned expenses that may arise and exceed the ability of the departmental operating budget to absorb. Realizing that the plant continues to need major capital investment, it is nonetheless an important and realistic goal to slowly build this fund. This goal is now supported through the annual budget process, which seeks to ensure at least a minimum level of retained earnings are available each year for appropriation to stabilization.

ARTICLE 9: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the following sums, or any other amount, for the purpose of increasing the special purpose funds set forth below, or pass any vote or votes in relating thereto.

Fund	Amount (\$)
Town Capital Stabilization Fund	250,000
OPEB Trust Fund	250,000
Total:	500,000

Proposed Motion: MOVED: That the Town vote to appropriate the sum of \$500,000 for the purpose of increasing the special purpose funds set forth below, with said sum to be raised from Free Cash.

Fund	Amount (\$)
Town Capital Stabilization Fund	250,000
OPEB Trust Fund	250,000
Total:	500,000

Background: The Town’s financial policies, as well as common sense, dictate that amounts of Free Cash greater than the amount expected to be used for special articles in the current year be transferred into a reserve account. The policies specifically mention the Town Stabilization Funds, but currently the Town General Stabilization Fund has a balance of \$1.1M and is above the recommended threshold, and the Town will eventually have to deal with a \$15M+ unfunded Other Post-Employment Benefits (OPEB) liability. Therefore the Finance Committee recommends putting half of the currently unneeded Free Cash into the OPEB Trust Fund, where it can earn investment income to help offset the future costs. The balance will go to the Town Capital Stabilization Fund.

ARTICLE 10: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$12,000, or any other amount, for the purpose of repaying the town for part of the \$39,800 supplemental appropriation to the FY21 Airport Budget voted as Article 10 of the February 25, 2021 Special Town Meeting, or pass any vote or votes in relating thereto.

(Airport Commission Request)

Proposed Motion: MOVED: That the Town vote to appropriate \$12,000 for the purpose of repaying the town for part of the \$39,800 supplemental appropriation to the FY21 Airport Budget, said sum to be raised from Airport Retained Earnings.

Background: On February 25th, 2021, Town Meeting agreed to use Free Cash to increase the Airport’s budget to cover additional costs that were incurred as a result of the acquisition of the Pioneer Aviation property. At the time, the Airport offered to reimburse the town over one or two years.

This article proposes to make an initial payment of \$12,000. Although the airport is generating revenue at the expected levels, the property acquisition was completed later than expected in FY21, reducing revenue totals. These revenues (\$29,377) were in excess of total expenses and therefore were part of the Airports certified Retained Earnings (similar to free cash) available for FY22.

Town staff consider it imprudent to spend too large a share of such limited retained earnings (the operation's emergency fund, in a sense) this early in the fiscal year and recommend \$12,000 as an appropriate first payment. A second payment may be made in the spring of 2022 the next payment will be made, with the remaining funds to be transferred in fall of 2022 from the retained earnings that result from this current year's revenues, which are not available until certified as retained earnings after the close of the fiscal year.

ARTICLE 11: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sums of \$64,900, or any other amount, for the purpose of repairing and painting exterior siding of the Council on Aging building, and any costs related thereto, or pass any vote or votes in relating thereto.
(Note: the CIC has not considered the figure presented in this article, which reflects a revised quote from our local estimator, plus 10% contingency)

(Selectboard Request)

Proposed Motion: MOVED: That the Town vote to appropriate the sum of \$64,900 for the purpose of repairing and painting exterior siding of the Council on Aging building, and any costs related thereto, with \$700 to be raised from the unexpended balance of Article #15 of the June 13, 2020 Annual Town Meeting, which appropriated funds to repair the Senior Center Chimney, \$24,313.98 to be raised from the unexpended balance of Article #2 of the October 13, 2020 Special Town Meeting, which appropriated funds to repair the Senior Center roof, and \$39,886.02 to be raised from Free Cash.

Background: The Capital Improvements Committee has previously identified deficiencies with the exterior siding of the Gill-Montague Senior Center. It was understood that substantial work would be required on the rear side of the building exterior in the very near term and that area has deteriorated notably in the past year. In addition, our local consultant recommends that clapboards and some trim on the building's sides (the longest dimension of the building) be replaced. The proposed project would include removal of existing clapboard in all of these trouble spots and installation of new wood clapboards, which will be properly primed and painted. As this building has not been painted in recent years, it is recommended that the entire building be scraped and painted at the same time the deteriorated siding is replaced.

ARTICLE 12: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$100,000, or any other amount, for the purpose of replacing the 5th Street Pedestrian Bridge, and any costs related thereto, or pass any vote or votes in relating thereto.

(Director of Planning and Town Administrator Request)

Proposed Motion: MOVED: That the Town vote to appropriate the sum of **\$100,000**, or any other amount, for the purpose of replacing the 5th Street Pedestrian Bridge, and any costs related thereto, said sum to be raised from Free Cash.

Background: This article is a fail-safe to ensure the Town is able to award and complete this project, which is supported by \$2.16M grant through the State’s MassWorks program. The project must be completed by June 2023 and major elements of construction are expected to commence in spring 2022. Bids are due September 29th; shortly after the warrant posting date. A firm price will be in hand prior to STM.

Costs escalated from the original estimate due to required changes to the bridge location, MassDOT, and FERC requirements; and sinkholes that emerged in spring 2021 that require a more expensive footing for the bridge and ADA ramp. Recent engineering estimates suggest the Town will need to forego some originally planned improvements, which now appear as “alternates” in the bid, as in the table below. The Town met with MassWorks program officials the week of September 13 and was informed no additional funding is immediately available in the event of a shortfall.

Without these alternates the “all-in” required costs of engineering and the base bid, which will ensure the bridge is built, is \$2,123,000. After deducting the engineering costs, this would leave only \$40,000 in bid contingency. In the current, unpredictable bid environment, there is concern this is insufficient. If no bids fall within the available grant funds, the Town could not proceed to award the project. A forced re-bid would further add to administrative costs and delay this project.

A favorable bid could negate the need for this article or could create capacity to award not only the base bid, but possible add back in the Canal Street area sidewalks. Note that a portion of this project – the water and sewer lines running over the bridge – may be ARPA-eligible and the Selectboard may have the ability to deploy some of that funding in lieu of spending against this article or to otherwise support completion of the proposed work.

Bid Forecast Based on Engineer’s Estimate of Probably Cost

Engineering (Design and administration)	\$360,000	
OPC Base Bid (Engineer’s Estimate)	\$1,763,000	
Minimum Estimated Cost of Base Project	\$2,123,000	
<i>Original Grant</i>	<i>\$2,163,000</i>	
Available Bidding Contingency	→	\$40,000
OPC Alt 1 (Canal Street Sidewalks)	\$151,000	
OPC Alt 2 (lighting elements)	\$353,000	

ARTICLE 13: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$50,000, or any other amount, for the purpose of funding evidence-based substance abuse prevention programming with a focus on families and children, and any costs related thereto, or pass any vote or votes in relating thereto.

(Selectboard Request)

Proposed Motion: MOVED: That the Town vote to appropriate the sum of \$50,000 for the purpose of funding evidence-based substance abuse prevention programming with a focus on serving families and children, and any costs related thereto, said sum to be raised from the Cannabis Impact Fee Fund.

Background: This article would make use of available cannabis impact stabilization funding to support an RFP for local agencies to provide family- and youth-focused substance use reduction programming in the Town of Montague. The emphasis on “evidence-based” programming reflects the Town’s need to ensure that funded programs have proven to be effective through credible research studies.

The Town would receive technical assistance from the Communities that Care Coalition to support development of the RFP, and review of proposed programs and agency capacity to implement them. CtCC collects student data each year through statistically validated surveys and has determined that risk factors related to “Family Management Problems” is particularly elevated in Franklin County, and that this risk factor is associated with increases in youth drug and alcohol use, youth violence, school dropout, teen pregnancy, delinquency, depression and anxiety. It would be the Town’s intention to release this RFP this fall to allow any services to begin as soon as possible.

The Cannabis Impact Stabilization Account can only be used for very specific purposes and this programming is consistent with those purposes. The current balance of the fund is \$114,670 and the one presently contributing cannabis establishment (253 Farmacy). Under terms of their host agreement they make a single annual payment each January. 253 expects this year’s contribution to be in the vicinity of \$400,000. This increases confidence that initiatives such as this will be sustainable and potentially benefit the community for the foreseeable future.

ARTICLE 14: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$29,000, or any other amount,

for the purpose of increasing the FY22 Dispatch Budget, or pass any vote or votes in relating thereto.

(Dispatch Request)

Proposed Motion: MOVED: That the Town vote to appropriate the sum of \$29,000 for the purpose of increasing the FY22 Dispatch Budget, said sum to be raised from Free Cash.

Background: The issue of Dispatch wages has been a concern that the Union had intended to address during negotiation of the next collective bargaining agreement. Two members of the staff left in a short period of time, at the start and near the end of summer. The second vacancy occurred while the replacement filling the first vacancy was still in training (commonly 3-4 months). The first departure resulted in unusually high levels of forced overtime and the second reduced the available staff to unsustainable level, causing hardship to staff and threatening the Town's ability to maintain a dispatch operation.

Upon review of comparable local rates for dispatchers and in consultation with the Police Chief and Lieutenant, the Selectboard approved a Memorandum of Understanding, placing Dispatchers on a higher pay grade in order to make the position's wage scale more competitive with other local communities, with the goal of attracting and retaining qualified staff. This increased cost to the Dispatch budget now needs to be funded.

Deeper Background: Montague has a staff of four dispatchers and a dispatch supervisor, and has one dispatcher on duty per shift. The operation depends on per-diems to fill in for vacant shifts and vacations. The operation must always have a qualified dispatcher on duty. If Montague does not meet a required response time to calls, the state can take away our right to dispatch locally. Shelburne Control has informed us on multiple occasions that they are not willing to take on the dispatch function for Montague. If we lost our dispatch ability, our 911 calls would likely go to Northampton or Framingham. In either case, they would receive our calls and then have to call our officers to relay the information, which would delay response time and potentially impact public safety.

ARTICLE 15: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$600, or any other amount, for the purpose of purchasing and installing a new phone system for the Parks and Recreation Department including any and all incidental and related costs, or pass any vote or votes in relating thereto.

(Parks and Recreation Request)

Proposed Motion: MOVED: That the Town vote to appropriate the sum of \$600 for the purpose of purchasing and installing a new phone system for the Parks and Recreation Department, including any and all incidental and related costs, said sum to be raised from Free Cash.

Background: The Parks and Recreation Department currently relies on an answering machine. They do not have a formal phone system, and therefore lack the basic business capacities of voice mail, call forwarding, and transferring calls. The intention is to get the same phone system currently used at Town Hall, Carnegie Library, DPW, and WPCF, which will also allow all of these departments to directly call each other via a 3 digit extension number.

Given under our hands this ____ day of September in the Year of Our Lord Two Thousand and Twenty One.

Richard Kuklewicz, Chairman
Selectmen, Town of Montague

Christopher M. Boutwell, Sr.

Franklin, ss Montague, MA September ____, 2021

Pursuant to the within warrant, I have warned the Inhabitants of the Town of Montague by posting attested copies of the same in a conspicuous place in each of the Post Offices, Libraries, and the Town Hall of the Town of Montague at least fourteen days before said meeting as within directed.

Constable of Montague