

**SPECIAL TOWN MEETING
TOWN OF MONTAGUE
COMMONWEALTH OF MASSACHUSETTS
October 16, 2021**

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 at the Franklin County Technical School outdoor tent, 82 Industrial Blvd., Turners Falls, Massachusetts, on Saturday, October 16, 2021, at 10:00 A.M. and to act on the following articles and any motions which may be presented.

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)

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 Fiscal Year 2021 bills by July 15, 2021, a Fiscal Year 2021 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.

Finance Committee Recommends voted 6-0-0
Selectboard Recommends voted 3-0-0

ARTICLE 2: 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 Fiscal Year 2022 Dispatch Budget, or pass any vote or votes in relation thereto.

(Dispatch Request)

MOVED: That the Town vote to appropriate the sum of \$29,000 for the purpose of increasing the Fiscal Year 2022 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.

Finance Committee Recommends voted 6-0-0
Selectboard Recommends voted 3-0-0

ARTICLE 3: 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, including but not limited to take minutes, or pass any vote or votes in relation thereto.

(Finance Committee Request)

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: The Finance Committee wants the minutes for its meetings to be consistent in quality and created in a manner that does not unduly burden committee members, so that accurate meeting records can be released promptly. After several years of experimenting with having members of the committee produce our meeting minutes, we have concluded that the time required for us to execute this clerical task would be better spent on our other responsibilities. We have engaged a contractor on a temporary basis to act as our scribe under terms similar to those the Selectboard uses, and that arrangement is working well so far. As the Finance Committee's \$700 annual budget is insufficient to cover the cost of extending this arrangement through the end of the current fiscal year, we are asking for an increase to our budget that would cover the expense of engaging a scribe for approximately twenty-five 90-minute meetings.

For context, while all boards and committees are required to take minutes and many do cover their own, in Montague, a significant number of public bodies get assistance with their minutes from town staff. The Finance Committee does not have access to this type of clerical support. Like the Selectboard, this committee meets quite frequently, and the cost of assigning a staff person to produce its meeting minutes would be considerably higher than what we will pay a contractor.

Finance Committee Recommends voted 6-0-0
Selectboard Recommends voted 3-0-0

ARTICLE 4: 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 Fiscal Year 2021 Airport Budget voted as Article 10 at the February 25, 2021 Special Town Meeting, or pass any vote or votes in relation thereto.

(Airport Commission Request)

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 Fiscal Year 2021 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 level, the property acquisition was completed later than anticipated in Fiscal Year 2021, reducing revenue totals. These revenue (\$29,377) were in excess of total expenses and therefore were certified as part of the Airport's Retained Earnings (similar to free cash) in August, making the funds available for use in Fiscal Year 2022.

Town staff consider it imprudent to spend too large a share of the Airport's limited retained earnings (which are, in a sense, the operation's emergency fund) this early in the fiscal year and recommend \$12,000 as an responsible first payment. A second payment may be made in spring 2022, with the remaining balance expected to be transferred in fall 2022 from the retained earnings created by this current year's revenue, which are again expected to exceed expenses. Note that repayment must occur within two years of the original "loan", as per Department of Revenue requirements.

Finance Committee Recommends voted 6-0-0
Selectboard Recommends voted 3-0-0

ARTICLE 5: 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)

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.

Finance Committee Recommends voted 6-0-0
Selectboard Recommends voted 3-0-0

ARTICLE 6: 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, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(Accountant Request)

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.

Finance Committee Recommends voted 6-0-0
Selectboard Recommends voted 3-0-0

ARTICLE 7: 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, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(Director of Planning Request)

MOVED: that the Town vote to appropriate the sum of \$135,000 for the purpose of implementing the Montague City Road Flooding Relief Project, including any and all incidental and related costs, 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 American Rescue and Recovery Act (ARPA)-eligible and the Selectboard may in the future have the ability to deploy a portion of that grant funding in lieu of spending against this article, or be able to supplement this funding in the event bids exceed the available grant and appropriation.

Finance Committee Recommends voted 6-0-0
Selectboard Recommends voted 3-0-0
Capital Improvements Committee Recommends voted 4-0

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 completing the 5th Street Pedestrian Bridge Replacement Project, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(Director of Planning and Town Administrator Request)

MOVED: That the Town vote to appropriate the sum of \$200,000 for the purpose of completing the 5th Street Pedestrian Bridge Replacement Project, including any and all incidental and related costs, said sum to be raised from Free Cash.

Background: The 5th Street Bridge Replacement Project is a major initiative that will restore pedestrian and bike access over the Canal leading toward Greenfield by the

former Southworth Paper Mill, and enhance this Gateway to Montague. The project is supported by a \$2.16M MassWorks grant.

A Town appropriation is sought in advance of construction bid results that are due on September 29th, two days after the final posting date for the STM warrant. The request is made in an effort to ensure that we have sufficient funds to award a contract to the lowest qualified bidder. As such, it functions as a fail-safe that at minimum should allow us to award the base bid for this project (the bridge, landings, and certain other safety improvements), and may potentially allow award of other elements listed as “alternates” in the table below, which were originally intended to be core components of the project.

So, what changed the expected cost of the project? Costs escalated due to required changes to the bridge location, MassDOT and FERC requirements, and sinkholes that emerged in spring 2021 that required design of a more expensive footing for the bridge and ADA ramp. Revised engineering estimates suggest the Town may now need to forego planned Canal Street sidewalk replacements as well as pedestrian scale lighting on that street and over the bridge. We met with state officials and were informed that no additional funding is presently available to offset these new costs.

Without the alternates the required costs of engineering and construction oversight, 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 base bid falls within the available grant funds, the Town cannot award the project. Re-bidding would further add to administrative costs and time delay to the project.

It is also possible that the Town could receive a favorable bid that is within our available grant-funded budget. If this were to occur, the Selectboard has signaled its intention to award Alternate 1, the sidewalks, if possible, and maintain any balance as construction contingency.

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	
Additional Funds Required for Both Alternates	→	\$504,000

Finance Committee Recommends voted 6-0-0
Selectboard Recommends voted 3-0-0
Capital Improvements Committee Recommends voted 4-0

A final note: A portion of this project – the water and sewer lines running over the bridge – may prove to be ARPA-eligible and the Selectboard may have the ability to deploy some of that funding to cover that portion of the construction budget. If so, the Board may be able to avoid some or all spending against this article or to otherwise support completion of the project.

ARTICLE 9: 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, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(Selectboard Request)

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, including any and all incidental and related costs, said sum to be raised from the Cannabis Impact Fee Fund.

Background: This article would make use of available Cannabis Impact Stabilization funds to issue a Request for Proposals (RFP) to local agencies with the capacity to provide evidence-based parent education for youth substance use prevention in Montague. Franklin County's prevention coalition, the Communities That Care Coalition, will provide technical assistance such as helping the Town develop the RPF and participating in evaluating the responses. The programming supported by this funding (such as the Strengthening Families 10-14 program and the Guiding Good Choices program) will have to be offered at no cost to local families and delivered in Montague, and it must be backed by research showing a positive association with reduced youth use of cannabis. It would be the Town's intention to release the RFP this fall, so that programming supported with this funding could be offered as soon as possible.

Cannabis impact funds can only be used for impact mitigation purposes, and this request to fund youth substance use prevention activities is consistent with those purposes, according to the precedent already set by the Town at the May 4, 2021 Annual Town Meeting, as well as by guidance issued by the state. Montague's Cannabis Impact Stabilization Account is currently funded by one establishment, 253 Pharmacy, as a condition of its Host Community Agreement (HCA). The current account balance is \$115,349 and 253 Pharmacy projects that in January 2022 its annual

contribution will be approximately \$400,000. Other establishments in Montague are expected to begin operation in the next 1-2 years and their HCAs have similar provisions. Barring changes in the local cannabis marketplace or state law governing HCAs, this suggests that Montague's Cannabis Impact Stabilization Account will be in a position to continue to provide funding for impact mitigation purposes for several years, at least.

The Communities That Care Coalition, the Opioid Task Force, and the Community Health Improvement Planning Network for Franklin County/North Quabbin have all identified evidence-based parent education as a high-priority need in the area based on local Teen Health Survey data and community input. Evidence-based parent education has been shown to improve youth health and well-being in many ways by providing important social and emotional skills and by strengthening young people's connection to family.

Finance Committee Recommends voted 6-0-0
Selectboard Recommends voted 3-0-0

ARTICLE 10: 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, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(DPW Superintendent Request)

MOVED: That the Town vote to appropriate the sum of \$114,382 for the purpose of purchasing and setting up a robotic sewer camera, including any and all incidental and related costs, 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.

Finance Committee Recommends voted 4-0-2

Selectboard Recommends voted 3-0-0

Capital Improvements Committee Recommends vote - Pending

ARTICLE 11: 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 relation thereto.

(Finance Committee Request)

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. The Plant continues to need major capital investment, and it is an important goal to slowly build this fund. This will be 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.

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.

Finance Committee Recommends voted 6-0-0

Selectboard Recommends voted 3-0-0

ARTICLE 12: 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 relation thereto.

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

(Finance Committee Request)

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 prescribe that amounts of Free Cash, greater than what is forecasted to be used for special articles later in the current year, be transferred to reserve funds.

- a) The Town General Stabilization Fund has a balance of \$1.1 million which is above the recommended threshold.
- b) The Town's unfunded Other Post-Employment Benefits liability is \$15+ million, and our policy is to add to our reserve for this annually, so that the balance earns investment interest.
- c) The Town's capital needs are continuing, so additions to Town Capital Stabilization are recommended.

The Finance Committee recommends putting half of the unneeded Free Cash into each of the OPEB and Capital Stabilization funds. Funds placed in Town Capital Stabilization can later be accessed and used for other purposes by Town Meeting vote. Funds placed in the OPEB Trust cannot be later re-appropriated for another purpose.

Finance Committee Recommends voted 6-0-0
 Selectboard Recommends voted 3-0-0

ARTICLE 13: 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)

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.

Finance Committee Recommends voted 6-0-0
Selectboard Recommends voted 3-0-0

Given under our hands this 27th 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.

Matthew Lord

Franklin, ss Montague, MA September 27, 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