

**SPECIAL TOWN MEETING
TOWN OF MONTAGUE
COMMONWEALTH OF MASSACHUSETTS
October 10, 2023**

MOTIONS WITH BACKGROUND INFORMATION

ARTICLE 1. Moved: That the Town vote to amend the Town of Montague Consolidated Personnel By-Law by adding Section XIII as follows:

Section XIII Longevity

A) Annual longevity payments will be provided in the following amounts for benefited, non-police employees who have completed the indicated years of service:

Five years	\$300
Ten years	\$500
Fifteen years	\$900
Twenty years	\$1,000
Twenty-five years	\$1,100
Thirty years	\$1,200

B) The payments authorized by this section shall be applied to the compensation of eligible employees retroactively as of July 1, 2023.

Selectboard Recommends 3-0
Finance Committee Recommends 7-0

Background

Town bylaws do not currently allow longevity payments. Employees in the NAGE and UE unions are eligible for longevity. Police officers voluntarily gave up longevity pay (except for officers hired between June 30, 1993 and June 30, 2004 who do not receive educational incentives) in exchange for other benefits as part of contract negotiations. Many department heads are on Grade G. Those in the NAGE union receive longevity while those who are not in the union cannot currently receive longevity. This would provide equity for these department heads and other administrative leadership positions.

The positions affected by this are the Town Administrator, Assistant Town Administrator, Selectboard Executive Assistant, Town Accountant, Treasurer/Collector, Town Clerk, DPW Superintendent, Board of Health Director, Director of Libraries, Clean Water Facility Superintendent, and Airport Manager.

ARTICLE 2. Moved: That the Town vote to appropriate the sum of \$3,1 00 for the purpose of increasing the FY2024 budgets for the following departments to fund the cost of longevity

payments to eligible non-police employees, said appropriation to be contingent upon passage and approval of the bylaw amendment proposed in Article 1 of this Special Town Meeting Warrant, said sum to be raised from Free Cash.

<u>Line Item</u>	<u>Dollar Amount Increase</u>
122 Selectboard	\$ 800
135 Accountant	\$1,000
145 Treasurer/Tax Collector	\$ 300
420 DPW	\$1,000

Selectboard Recommends 3-0
 Finance Committee Recommends 7-0

Background

The cost of implementing Article 1 for FY24 breaks down as:

Town Administrator	\$ 300
Assistant Town Administrator	\$ 500
Town Accountant	\$1,000
Treasurer/Tax Collector	\$ 300
DPW Superintendent	\$1,000

Please note that some positions are not included here because the FY24 budget already had sufficient appropriation or they have not worked for the Town for at least five years.

ARTICLE 3. MOVED: That the Town vote to increase the COLA base for Montague Contributory Retirement System retirees from \$18,000 to \$30,000 effective July 1, 2024.

Selectboard Recommends 3-0
 Finance Committee Recommends 7-0

Background

The current maximum annual COLA increase is capped at \$540 (3% maximum percentage on maximum of \$18,000 of pension.) Request is to increase the base from \$18,000 to \$30,000 which would increase the maximum annual COLA increase to \$900 and extend the funding schedule by two years to 2032. See separate handout for additional information.

ARTICLE 4. 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.

Selectboard Recommends 3-0
Finance Committee Recommends 7-0

Background

This is an annual article to appropriate the PEG access funds provided to the town by Comcast for use by Montague Community Television.

ARTICLE 5. Moved: That the Town vote to appropriate the sum of \$12,885.56 for the purpose of increasing the Opioid Settlement Stabilization Fund, said sum to be raised from Free Cash.

Selectboard Recommends 3-0
Finance Committee Recommends 7-0

Background

These are funds received prior to the effective date of last year's Town Meeting vote, which allowed 100% of opioid settlement revenues to go directly into this special purpose Stabilization Fund. Opioid settlement payments received prior to July 1, 2023 had to be recorded as General Fund revenues in FY24, but are now accounted for and available as Free Cash. This article simply moves these funds from Free Cash to their intended destination.

ARTICLE 6. Moved: That the Town vote to appropriate the sum of \$4,000 for the purpose of purchasing and installing two signs for the Highland Woods green burial area, including any and all incidental or related costs, said sum to be raised from Sale of Highland Cemetery Lots.

Selectboard Recommends 3-0
Finance Committee Recommends 7-0

Background

This article would provide funds to purchase and install two signs for the new Highland Woods area of the Highland Cemetery to designate it as the natural ("green") burial section. Funds to support this purchase are coming from the Sale of Highland Cemetery Lots Account, which holds the balance of funds transferred to the Town when it accepted ownership of the original Highland Cemetery, as well as \$14,300 in funds from cemetery lot sales since the time of that transfer (summer 2022).

ARTICLE 7. MOVED: That the Town vote pursuant to Massachusetts General Laws, Chapter 114, Section 23 to approve all policies and regulations promulgated by the Montague Cemetery Commission prior to the date of this meeting, as shown on the handout titled "Rules and

Regulations of the Montague Cemetery Commission, Revised May 8, 2023”; and further to grant the Montague Cemetery Commission authority to promulgate additional policies and regulations and to amend, revise and/or delete all such policies and regulations, subject to the approval of the Selectboard, without further approval at Town Meeting.

Selectboard Recommends 3-0

Background

The Cemetery Commission needed to create policies for the new Highland Woods green burial section. That process provided a natural opportunity to update policies and regulations for all eight town-owned cemeteries. The proposed policies for Highland Woods and amended existing regulations are included as an attachment to the meeting materials. The Commission believes them to be in the best interest of the cemeteries and the Town, and they have been reviewed by town counsel. The Commission seeks approval of these policies and regulations, as well as the authority to further revise policies and regulations in the future, subject to approval of the Selectboard. This would avoid the need for Town Meeting approval, allowing for the Cemetery Commission to work in a more efficient and timely fashion in response to changing needs or state regulations.

ARTICLE 8. MOVED: That the Town vote to appropriate the sum of \$500,000 for the purpose of constructing and for the payment of all other costs incidental and related thereto, park improvements on the Town’s property located at Montague Center Park, Map 43, Lots 118, 119, 121, 122, & 123 which property is held by, managed and controlled by the Parks and Recreation Commission of the Town of Montague for public playground and recreation center purposes; and, further, subject to receipt and acceptance of the Parkland Acquisitions and Renovations for Communities (“PARC”) Grant, described hereinafter, to dedicate said property to park and active recreation purposes under the provisions of G.L. Chapter 45, Section 3 in perpetuity; provided, however, that such funds shall not be expended unless the Town is approved for a Parkland Acquisitions and Renovations for Communities (“PARC”) Grant from the Massachusetts Division of Conservation Services for reimbursement of all or a percentage of the project cost, and to authorize the Parks and Recreation Commission, with the approval of the Selectboard, to file on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from any federal, state or other funds, and to enter into such grant agreements and execute any and all instruments as may be necessary to accomplish the foregoing, said sum to be raised from the Town Capital Stabilization Fund.

Selectboard Recommends 3-0

Finance Committee Recommends 6 - 0

Capital Improvements Committee Recommends 5 - 0

Background

In conjunction with the Montague Center Park Improvement Planning Committee, this past July the Montague Parks & Recreation Department (MPRD) applied for the FY2024 Parkland Acquisition & Renovations for Communities (PARC) Grant to help fund design and construction to renovate Montague Center Park, focusing almost exclusively on the playground area.

The PARC Grant is a reimbursement grant where communities must appropriate the total project cost and will be reimbursed based on their “Community Reimbursement Rate”, which for Montague is 68%. MPRD applied for \$500,000 for Montague Center Park renovations, which will include design in FY24, and construction for FY25. If awarded, the Town would be responsible for \$160,000 of the project costs.

Being a priority in Montague’s *Community Development Strategy (2018 – 2023)* and *Open Space and Recreation Plan (2018)*, the origin of the Montague Center project can be traced back to 2017 when a public meeting sponsored by MPRD was held to gauge community interest and generate ideas for park improvements. Approximately thirty residents attended with many speaking passionately about the park and its importance to the community. A project committee was quickly formed, and after a series of meetings, the group decided to pursue The Conway School of Landscape Architecture to facilitate a master plan process. In the spring of 2019 after meeting with the committee and hosting a series of public workshops, the project students from the Conway School created a conceptual design and plan that was well received.

The playground currently consists of a slide, merry-go-round, overhead ladder, climbing structure, balance beam, and a tot swing set; a rather undynamic playground that is rarely used by the community and not accessible to all. If funding permits, the grant will help develop an off-street parking area and accessible walkways to the playground area in addition to the installation of the new the playscape. In 2015 the PARC Grant was the primary funding source of the Unity Skate Park Project.

ARTICLE 9. Moved: That the Town vote to appropriate the sum of \$7,566.81 for the purpose of paying a prior year unpaid bill of the Clean Water Facility, said sum to be raised from Clean Water Facility Retained Earnings.

Selectboard Recommends 3-0
Finance Committee Recommends 6 - 0

Background

A \$7,566.81 bill from Veolia for November 2021 was not received in time to pay from the FY22 budget. This stems from an original sludge hauling bill for \$46,486.16, that was amended after negotiations and credited with \$38,919.35. The vendor was supposed to

have re-issued the amended bill, but never did. It wasn't until the vendor performed an internal audit that they found the discrepancy, and consequently issued a bill for the adjusted \$7,566.81.

Article 10. Moved: That the Town vote to establish a special purpose Clean Water Facility Do Not Use (DNU) Until 2064 Stabilization Fund in accordance with MGL Chapter 40 Section 5B, and appropriate the sum of \$68,100 for the purpose of funding said stabilization fund, said sum to be raised from the Clean Water Facility Retained Earnings.

Selectboard Recommends 3-0
Finance Committee Recommends 6 - 0

Background

The Town is financing the Screw Pump Replacement Project with a \$860,000 grant and a \$1,616,000 low interest low from the USDA Rural Development Program. A condition of that financing agreement requires a minimum set aside of \$68,100 for short term capital investments during the forty year term of that agreement. This article would create a separate stabilization fund to ensure this money is properly segregated and not accidentally spent in the future. The funds could be used for capital needs, however the stabilization account would need to be replenished to \$68,100 at the beginning of the next fiscal year.

ARTICLE 11. Moved: That the Town vote to appropriate the sum of \$209,000 for the purpose of increasing the amount appropriated pursuant to Article 18 of the May 7, 2022 Annual Town Meeting, which appropriated the sum of \$130,000 for the purchase and installation of a backup generator for the Clean Water Facility and all incidental installation costs to include but not be limited to the corresponding moving of transfer switches and fuel tank, said sum to be raised from Clean Water Facility Retained Earnings.

Selectboard Recommends 3-0
Finance Committee Recommends 6 - 0
Capital Improvements Committee Recommends 5 - 0

Background

The electrical contracting work is the final element to completing the facility's main emergency generator upgrade. The work includes replacing a transfer switch and moving all electrical components from inside the administration building to the new exterior generator site next to the parking lot. Article 18 of the May 7, 2022 Annual Town Meeting, provided \$130,000 for the purchase and installation of a backup generator for the Clean Water Facility. The generator has been purchased and acquired, however the bids for the installation came in significantly higher than anticipated. CWF staff will be

conducting all site work to keep costs down as compared with a third-party contractor acting under the electrical contractor.

ARTICLE 12. Moved: That the Town vote to appropriate the sum of \$50,400 for the purpose of performing a local limits study in accordance with the Town's National Pollution Elimination Discharge Elimination System (NPDES) Permit obligations requirements, including any and all incidental and related costs, said sum to be raised from Clean Water Facility Retained Earnings.

Selectboard Recommends 3-0
Finance Committee Recommends 6 - 0

Background

The new EPA National Pollutant Discharge Elimination System Permit (NPDES) requires an updated Local Limits Study to be completed. The last Local Limits Study was done in 1998, and since then the industrial landscape has changed drastically. A Local Limits Study is used to determine loading limits (think of it like a pie) at the wastewater treatment facility, taking into consideration industry types and volumes of discharge compared to normal residential loadings (think pieces of the pie with how large each piece is depending on the type of industry discharges vs residential discharges.) It is important to have this study performed in order to set enforceable discharge limits on significant industrial users that can be supported by data and lawfully enforced.

ARTICLE 13. Moved: That the Town vote to appropriate the sum of \$95,000 for the purpose of replacing two pumping station generators, including any and all incidental and related costs, said sum to be raised from Clean Water Facility Retained Earnings.

Selectboard Recommends 3-0
Finance Committee Recommends 6 - 0
Capital Improvements Committee Recommends 5 - 0

Background

The emergency backup generators at 6 of Montague's 8 pump stations as well as 2 portable backup generators are in need of planned replacement. The Clean Water facility plans to replace each of the generators over the next 5 years. This initial appropriation of \$95,000 will fund the replacement of the two generators that have been prioritized with the highest need. Specifically, the CWF will replace the two generators that serve the G St ("The Patch") and J St (behind Food City) pumping stations. Both generators were installed in 1981. A Feb 2023 preventative maintenance and inspection report performed by the service technician, PowerGen Technologies LLC, has recommended replacement as parts on the generators have become obsolete and cannot be replaced if the generators fail. The Town is legally required to have operable and serviceable generators at all wastewater pumping stations in order to prevent a backup and discharge of untreated sewage during power outages.

ARTICLE 14. Moved: That the Town vote to appropriate the sum of \$99,900 for the purpose of securing professional consulting services to conduct analysis and reporting in support of collections system regulatory compliance, and for the development of updated local sewer regulations, including any and all related or incidental costs, said sum to be raised from Free Cash.

Selectboard Recommends 3-0
Finance Committee Recommends 5 - 2

Note: FC recommendation made when funding source was Clean Water Facility Retained Earnings

Background

Montague has substantial maintenance and reporting responsibilities related to its sanitary sewer collection system. These requirements are driven, to a large extent, by the existence of combined sewer and stormwater lines that would be very costly to separate. Montague has not, historically, invested as deeply as would be required to maintain full compliance with these regulations. This special article is intended to bring Montague into compliance with state and federal reporting requirements and establish a model for future reporting efforts that will be completed principally by Town staff.

In 2022-2023, the Town made substantial investments—through grants, appropriations, and the operating budget—to establish the capacity to achieve and maintain collections system regulatory compliance. These investments allowed us to complete required studies of inflow & infiltration and develop a long-term control plan for combined sewer overflow events. They also funded a dedicated staff person (the lead collection system operator) to perform the required maintenance and monitoring of the system. Additionally, responsibility for collection system maintenance and reporting was definitively placed within the DPW, bringing clarity to roles and responsibilities.

Amidst this progress, the Town nonetheless received a Notice of Non-compliance related to its 2022 collection system annual reporting. The notice defined broad requirements for compliance moving forward, which are more detailed than in past years. These include “hydraulic analyses” that would require the support of engineers. These requirements are on par with those of the City of Springfield, whose annual report was presented to the Town as the model for our reporting.

This article reflects a scope of work that would bring the Town into greater compliance for with 2022 and 2023 reporting, with the caveat that not all maintenance and monitoring was performed prior to hiring of the Collections System Lead Operator. The reports and related documentation would be developed by our consulting engineer, but would be closely supported by Town staff. Through this process, we will assess whether there are any ongoing annual reporting requirements that will require an engineer or other technical assistance in future years, but we expect such requirements to be limited. We also hope to be able to omit one of the tasks from this scope (related to

2022 reporting, \$23,000), which will not be known until after an interim update for that year is submitted to Mass DEP on October 31.

This article includes support for updating Montague's Sewer Regulations (last revised in 2013). The consultant will review existing regulations and make recommendations for bringing it into compliance with any new standards, strengthen the Town's ability to enforce industrial pretreatment and illicit connections regulations, and include a program to address the impacts of new sewer connections and extensions consistent with MA DEP regulations. The sewer commission may contemplate other changes at its discretion. This task represents \$9,600 of the total quoted cost of services.

Note that the originally proposed source of funding for this article was to be the CWF Retained Earnings and was such at the time of the Finance Committee's vote. The Selectboard later recommended the use of Town Free Cash on the basis that the requirements are driven by the Town's combined storm and sewer system, as opposed to any requirement of the sanitary sewer and treatment facility itself.

ARTICLE 15. Moved: That the Town vote to appropriate the sum of \$50,000 for the purpose of securing professional consulting services to assess and develop plans related to the Town's wastewater collections system capacity, operations and maintenance, and high flow protocols, including any and all related or incidental costs, said sum to be raised from Clean Water Facility Retained Earnings.

Selectboard Recommends 3-0
Finance Committee Recommends 6 - 0

Background

This article would provide funds for the development and implementation a Collections System Capacity Management Operations & Maintenance Plan (CMOM) Report and an Operations and Maintenance (O&M) plan for the sewer collection system. The CMOM assessment is a required deliverable while the O&M plan would provide standard operating procedures in accordance with the Town's NPDES permit (see below). It will also prioritize collections line cleaning and inspection, and CCTV inspection activity.

The O&M Manual will serve as the basis for planning and implementing ongoing maintenance and monitoring activity, programs to mitigate the incidence of Combined Sewer Overflow and Dry Weather Overflow events, and reduce system inflow and infiltration. This manual is expected to be a requirement of its soon to be released National Pollution Discharge Elimination (NPDES) Permit. This permit governs and provides a regulatory framework for Clean Water Facility and Collections System operation, maintenance, and reporting.

ARTICLE 16. Moved That the Town vote to acquire and accept, by donation, from Farren Care Center, Inc., or the current owner, the real property located at 340-350, and 356 Montague City Road, Turners Falls, and shown as Parcels 12-0-044, 12-0-044A, and 12-0-051, and being Lots B and C on a plan entitled "Plan of Land in Montague Massachusetts Surveyed for The Farren Memorial Hospital" dated September 11, 1989, recorded with the Franklin Registry of Deeds in Plan Book 79, Page 4, on such terms and conditions as the Selectboard shall deem to be in the best interest of the Town; and to authorize the Selectboard to take all actions and execute all documents necessary and appropriate for said acquisition and acceptance, or pass any vote or votes in relation thereto.

Selectboard Recommends 3-0

Background

This article would allow the Town to acquire ownership of the 8.8 acre property known as the former "Farren Hospital" property. Specifically, it would authorize the Selectboard to negotiate the conditions under which the property is acquired.