

**SELECTMEN'S MEETING
MONDAY, March 15, 2010
UPSTAIRS MEETING ROOM**

#09-10

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Meeting was opened at 7:00 PM in the Upstairs Meeting Room. Present were Selectpersons Patricia Pruitt; Patricia Allen, Mark Fairbrother; Town Administrator, Frank Abbondanzio; Administrative Secretary, Wendy Bogusz; Bill Drake, Montague Reporter; Arn Albertini, Greenfield Recorder; Jeff Tirrell, WHAI

Approve Minutes of January 25, February 1 and March 8, 2010

Fairbrother makes the motion to approve the minutes of January 25, 2010, February 1, 2010 and March 8, 2010. Seconded by Pruitt, approved unanimously. Fairbrother – Aye, Pruitt - Aye

Liquor License hearing, change in liquor license type, Montague Performing Arts Center

Hearing opened. Pruitt reads description of property into the record. Town meeting passed this on to the Legislature for an all liquor license for the church and it was granted. Ms. Quinn currently has a Beer and Wine license that will be returned to the Town

Fairbrother makes the motion to approve the change of license for the Montague Performing Arts Center, License number 073600038 from Beer and Malt to All Alcohol. Seconded by Pruitt, approved unanimously. Fairbrother – Aye, Pruitt - Aye

Public Hearing, Stretch Energy Code, Chris Mason, Sally Pick, Pam Hanold, Jay Blair, Montague Energy Committee

Fairbrother reads public hearing notice into the record

Mason explains what stretch code is:

- Update to the Building Code that cuts energy costs in new buildings by more than 20%. The Board of Building regulations and standards put out a new energy efficiency portion to the building code this year; part of that was an option to adopt a stretch code which takes the energy efficiency level and tweaks it up a little more.
- This is an elective code that Towns need to adopt by vote of Town Meeting.
- The stretch code uses real world testing, the Home Energy Rating System, the house will be tested as it is being constructed so you know the energy efficiency measure your looking for actually exists at the end.
- Uses energy modeling and commissioning (fancy word for testing) commercial buildings.
- Adoption of stretch code is one step in qualifying town to be a green community. Green communities will be eligible for grants annually and that money can be used for things such as: improving the energy efficiency in Town buildings, adding renewable energy systems to Town buildings, supporting programs that increase efficiency in existing homes and businesses, the Town may be able to use these funds to start programs in town that would help anyone who has an existing house or business increase energy efficiency, or it could be used to support programs to offset the costs of improved energy efficiency in new homes.
- Mason goes over the criteria the town has already met to become a green community and the steps the Energy Committee is taking in the action plan
- Energy Committee recognizes that building to stretch code would add 3% to 5% to a homeowners costs; rebates and grants are available to off set costs, portion of community that would be trying to build that house, there are FHA loans out there that would lend money for an energy efficient mortgage. Energy committee along with several other towns will be putting together a letter to send out to banks.
- At last meeting energy committee voted to ask the Board of Selectmen to place article on town meeting warrant to accept the Energy Stretch Code.
- Stretch code will not have any impact on existing houses, only new houses or new construction (such as additions and you would have the option which method (prescriptive code or you could test addition if possible) you would want to follow
- Resident expressed his concern he has is the permitting process and the availability to speed up the permitting process for something like the biomass plant or a nuclear plant. Mason responds by saying the Town retains controls. For this criteria the town would have to meet "as right by generation" and if we did meet this criteria it would be very specific (i.e. Photovoltaic's on the landfill or the old tree dump).

Jensen feels his issues are answered and it covers the issues he was looking at and more. It doesn't come without some element of a cost burden; which is inevitable for energy efficiency. We are a little a head of the curve but not out of line as to what is going to happen.

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Pruitt asks what is the benefit as a town for moving forward voluntarily?

Mason: It is being able to apply for the grant money which could leverage credibility and will allow you to apply for more money. Energy costs will be lower as well as over all costs. The Town will be more efficient and spend less money on energy. The Town doesn't have an official policy on reducing green house gasses but it is going to lead that way. Environmental reasons, security reasons, an energy efficient home, it is less susceptible to energy price spikes. I have asked the Dept. of Energy Resources a number of times and they have said as long as it is a program coming from the Town it can be used for any energy efficiency in the town residential, business, private.

Mason: Most builders are building beyond code already when they are building energy efficiency in a building. If town meeting adopts the Stretch Code, it would go into effect in July, and for 6 months would be concurrent with present code. It wouldn't be until January 2011 that it would be the sole code you have to enforce.

Discussion about rebates and how money can be used.

Pruitt closes the hearing at 7:40 PM

Request from Govind Patel, Carroll's Market for an all alcohol liquor license

Patel: Would like full liquor license for public convenience and they are asking the Town to petition the legislature for this license.

Pruitt: We will put this request on the Annual Town Meeting warrant where it will be voted upon.

Town Administrators Report

U.S. Census Announcement – temporary employment

Abbondanzio: I made an announcement a few weeks ago about available census jobs and there are still jobs available for temporary employment.

Sign Special Town Meeting Warrant

Fairbrother makes the motion to place ARTICLE 1 on the April 1, 2010 Special Town Meeting Warrant. Seconded by Pruitt, approved unanimously. Fairbrother – Aye, Pruitt - Aye

Article 1: To see if the Town will vote to amend the Zoning Map of the Town of Montague by changing the zoning of property located on Assessor's Map 43 Lot 111, the Montague Center School, from Recreational & Educational (RE) use to Neighborhood Business (NB) or pass any vote or votes in relation thereto. (Recommended by Planning Board)

Fairbrother makes the motion to place ARTICLE 2 on the April 1, 2010 Special Town Meeting Warrant. Seconded by Pruitt, approved unanimously. Fairbrother – Aye, Pruitt - Aye

Article 2: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide any sum or sums of money for the purpose of increasing the FY 2010 appropriation for the Reserve Fund, or pass any vote or votes in relation thereto.

Fairbrother makes the motion to place ARTICLE 3 on the April 1, 2010 Special Town Meeting Warrant. Seconded by Pruitt, approved unanimously. Fairbrother – Aye, Pruitt - Aye

Article 3: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$25,000 or any other amount for the purpose of increasing the FY 2010 appropriation for the Legal Account, or pass any vote or votes in relation thereto.

Fairbrother makes the motion to place ARTICLE 4 on the April 1, 2010 Special Town Meeting Warrant. Seconded by Pruitt, approved unanimously. Fairbrother – Aye, Pruitt - Aye

Article 4: To see if the Town will vote to establish a Franklin County Technical School Stabilization Fund, or pass any vote or votes in relation thereto.

Fairbrother makes the motion to place ARTICLE 5 on the April 1, 2010 Special Town Meeting Warrant. Seconded by Pruitt, approved unanimously. Fairbrother – Aye, Pruitt - Aye

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Article 5: To see if the Town will vote to change the name of the Educational Stabilization Fund to the "Gill Montague Regional School District Stabilization Fund", or pass any vote or votes in relation thereto.

Fairbrother makes the motion to place ARTICLE 6 on the April 1, 2010 Special Town Meeting Warrant. *Seconded by Pruitt, approved unanimously. Fairbrother – Aye, Pruitt - Aye*

Article 6: To see if the Town will vote to enact a new section, NO. 5, "Stretch Energy Code" to the general By-laws of the Town of Montague by adding to the Article titled "Building and Use By-Law", for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 120.AA of 780 CMR, including amendments or modifications as of April 1, 2010) of the Massachusetts Building Code, Seventh Edition and known as the "Stretch Energy Code", a copy of which is on file with the Town Clerks, or pass any vote or votes in relation thereto.

Fairbrother makes the motion to place ARTICLE 7 on the April 1, 2010 Special Town Meeting Warrant. *Seconded by Pruitt, approved unanimously. Fairbrother – Aye, Pruitt - Aye*

Article 7: To see if the Town will vote to add the Town of Leverett as a member of the Franklin County Solid Waste Management District ("District") and therefore amend Article 1 Paragraph 4 of the Franklin County Solid Waste Management District Agreement pursuant to Article 7 of said Agreement by adding "Leverett" to the list of District member municipalities, subject to the following terms: The Town of Leverett shall be admitted as a member for the District, effective July 1, 2010, by paying a one-time membership fee to the District of \$4,550 plus an annual assessment of \$4,624 for Fiscal Year 2011 and all future assessments based upon the same assessment formula applied to all other District member municipalities and shall comply with all other provisions of the District Agreement. Or pass any vote or votes in relation thereto.

Fairbrother makes the motion to place ARTICLE 8 on the April 1, 2010 Special Town Meeting Warrant. *Seconded by Pruitt, approved unanimously. Fairbrother – Aye, Pruitt – Aye*

Article 8: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$91,450, or any other amount, for the purpose of paying the first debt payment due on the Public Safety Facility permanent financing, or to pass any vote or votes in relation thereto.

Fairbrother makes the motion to place ARTICLE 9 on the April 1, 2010 Special Town Meeting Warrant. *Seconded by Pruitt, approved unanimously. Fairbrother – Aye, Pruitt - Aye*

Article 9: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of up to \$750,000 for the purchase of infrastructure improvements including but not limited to heating and ventilation, lighting and controls, energy management systems, insulation, equipment, materials and supplies for buildings for Montague Town Buildings, and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$750,000 in accordance with MGL c 44 or pursuant to any other enabling authority, or to enter into a lease agreement with respect to such project with a principal of amount of up to \$750,000 in accordance with MGL c 25A, s. 111 or pursuant to any other enabling authority, or to pass any vote or votes in relation thereto.

Fairbrother makes the motion to place ARTICLE 10 on the April 1, 2010 Special Town Meeting Warrant. *Seconded by Pruitt, approved unanimously. Fairbrother – Aye, Pruitt – Aye*

To see if the Town will vote to authorize the Selectmen to enter into an Energy Savings Performance Contract with Siemens Building Technologies for the purpose of infrastructure improvements including but not limited to heating and ventilation, lighting and controls, energy management systems, insulation, equipment, materials and supplies for Montague Town Buildings, under which the funds to pay for these items will ultimately come from savings derived from energy conservation measures for a period of up to twenty (20) years. Energy Saving Performance Contract between the Town and Siemens Building Technologies, or to pass any vote or votes in relation thereto.

Registration for Assembly, Public Demonstration, or use of Public Property: Bruce's Run/Walk for Hospice

Fairbrother makes the motion to approve the activity as described on the bike path on April 18, 2010, Bruce's Walk/Run for Hospice from 8:00 AM to 2:00 PM. *Seconded by Pruitt, approved unanimously. Fairbrother – Aye, Pruitt - Aye*

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Application to Place Sign, Object, Display or Exhibition/Vigil on Public Safety: Harmony Lodge of Mason's Open House Sign

Fairbrother makes the motion to approve the application for the Harmony Lodge of Masons to erect a 4' x 8' Open House Sign from 22 March to 27 March 2010. Seconded by Pruitt, approved unanimously. Allen – Aye, Pruitt - Aye

Fairbrother makes the motion to adjourn the meeting at 8:02 PM. Seconded by Pruitt, approved unanimously.

Fairbrother – Aye, Pruitt - Aye