

**SELECTMEN'S MEETING
MONDAY, July 19, 2010
UPSTAIRS MEETING ROOM**

22

Meeting was opened at 7:00 PM in the Upstairs Meeting Room. Present were Selectpersons Patricia Allen, Mark Fairbrother, Chris Boutwell; Town Administrator, Frank Abbondanzio; Administrative Secretary, Wendy Bogusz; David Detmold, Montague Reporter; Diane Broncaccio, Greenfield Recorder, Jeff Tirrell, WHAI

Approve Minutes of July 6, 2010

Not available at this time

Request to Waive fee for Airport

Fairbrother makes the motion to waive the \$20 Building Permit Fee for the storage building construction at the Airport. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

Franklin County Pumpkinfest

Things are moving along for the Pumpkinfest which is scheduled for October 23, 2010.

Allen announces that a hot air balloon landed in her meadow the night before

Town Administrators Report (given by Frank Abbondanzio)

Renew license to Enter and Use Real Property: Ted and Alice Armen

Fairbrother makes the motion to renew the lease with Ted and Alice Armen for property on School Street in Montague Center, Assessors Map 43, Lot 123 to run July 19, 2010 through June 30, 2011 the permitted use to be planting and cultivation of gardens including installation of perimeter fencing and other terms as spelled out in lease. The fee is \$10 and is renewed yearly. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen – Aye

Announce MDAR is considering the acquisition of Assessors Map 18, Lot 7, Map 18, Lot 6 – 76 West Mineral Road

The Board announces that MDAR is considering the acquisition of Assessors Map 18, Lot 7, Map 18, Lot 6 – 76 West Mineral Road, the property is owned by the Gendrons and is currently used for agricultural purposes. If residents have questions, they should contact Carolyn Szocik.

David Jensen thinks there is worthy reason to comment on this and is going to meet with Walter Ramsey to put comments together to respond to Carol Szocik.

Mark Canon, LaBodega – The Latino Connection, Update on the 1 Year Anniversary Event

Thanks the Board for the permit for their 1 year anniversary which (to him) went very well. Understands there were complaints about the noise. Made speakers smaller and didn't turn them toward the buildings which didn't solve the problem.

Gina McNeely of BOH did noise readings for 1-1/2 hours. McNeely thinks when we do decibel readings things need to be put into perspective. 30 decibels is like a whisper in a library, 85 is the max you could have exposure to in 8 hour work day per OSHA. By these readings there is nothing terrible about them and they are perfectly consistent with the way the speakers were oriented and right in front of the speaker it was at 102 (6' in front), just across the street it dropped down to 80.6. It's objective not subjective and those are the numbers.

SSgt. Williams: We received 6 calls throughout the day for loud music and one call regarding offensive lyrics.

Allen has heard that since the speaker has been turned, it has been far less unpleasant for people

Canon: I told Chief Zukowski I was willing to compromise because we are a community store.

Discussion was held about the noise complaints

A more comprehensive noise by law is in the process of being created that will deal with a lot of different issues.

Canon makes an official complaint that he feels he is being mistreated and La Bodega is being mistreated by the Montague P.D. He is told he needs to contact the Chief with his complaints.

Canon stated he raised \$75 and will be matching it with a donation the Brickhouse.

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Maria Lonergan and Anthony Winstead, Violation of Board of Selectmen's Order dated November 18, 2008
The Board received a complaint about their dog Angie.

Mr. Winstead apologizes to Gina, he was under the impression his dog did not harm the other dog. He had to use the bathroom and hooked Angie onto the fence while he went to the bathroom and she broke the fence; always puts the muzzle on her. Usually it is only himself and Maria that handle the dog. Have tried to have the muzzle on Angie all the time outside, but she won't go to the bathroom. Thought were under compromise, put in new door, fenced in their property and usually keeps her contained. This was a freak accident and won't happen again.

Further discussion about incident and how Mr. Winstead states this will not happen ever again.

McNeely. Met with Anthony last week about the dog and he told her the same story. No complaints since November 2008, new door did go on as ordered and yard has been fenced. Thinks it was an unfortunate instance. In the November 2008 order, the Board of Selectmen asked me to check back with Mr. Winstead in 2 months and I did to see the door was on, but Anthony and Maria thought if they didn't hear anything in 2 months that was the end of the order. I reread the letter and I could construe that too. I think the dog should be muzzled, but I think it was an honest miscommunication.

Boutwell and Fairbrother feel it was an unfortunate instance and don't feel another hearing needs to be held.

Fairbrother: Sounds like a good faith effort has been made to live up to their end and keep the dog safe.

Liquor License hearing, Montague Performing Arts Center, All Alcohol Liquor License (Restaurant)
Fairbrother reads public hearing notice into the record.

Bob Sojka asks about taxes being paid. The Selectmen's Office looked into this and they are not in arrears to the point where we do not issue the permit (You have to be delinquent more than a year).

David Detmold inquires if they have any building permits. D. Jensen responds that they have a permit for exploratory demolition to create an architectural design

Fairbrother makes the motion to issue an all alcohol liquor license to Jordan Quinn Consulting, LLC d/b/a Montague Performing Arts Center, Dr. Shelley B. Kick, Manager for the premise located at 47 J Street and 25 Sixth Street, Turners Falls, MA, (one premise inclusive). The Montague Performing Arts Center license request consists of four interior and three exterior spaces at the former church and rectory. 1) A restaurant with entertainment on the ground floor of the church with an exterior sidewalk café area. 2) A music performance venue and/or function area with an accessory bar to the restaurant located on the church's main {1st} floor. 3) A bar in the basement of the former rectory with a covered exterior "summer bar" area. 4) An Inn bar/lounge with restaurant service on the rectory 1st floor also serving the public. The restaurant in the church ground floor has 2 main entrances and 3 exits. The music/function venue on the church 1st floor has 3 entrances/exits and 1 stage exit. In addition there will be a stairwell and elevator between floors. The former rectory basement will have 2 entrances/exits. The Inn's {former rectory} 1st floor will have 2 entrances/exits. All areas are accessible. Main entrances will be wheel chair accessible except the Inn's historic entrance. Approved. Seconded by Allen. Fairbrother – Aye, Allen – Aye, Boutwell – Abstain.

Town Administrators Report (given by Frank Abbondanzio)
Request for Cell Phone Stipend

Fairbrother makes the motion to grant the cell phone stipend to Michael Longo as the Turners Falls Municipal Airport Manager. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

Announce Award of Green Communities Grant

Received the formal award letter from the Department of Energy Resources. The Town has been approved for a Green Communities Grant \$154,944 to fund a fine bubble aerations system to improve the efficiency of the wastewater treatment plant.

Announcement of local "1,000 places to visit in Massachusetts"

There were 3 places in Montague listed on the 1,000 places to visit in Massachusetts including the whole Turners Falls Historic District, Discovery Center and the Book Mill.

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Sign Appointment for Planning Board Rep to the Franklin Regional Planning Board

Fairbrother makes the motion to appoint Bruce Young to a one year term as the Franklin Regional Planning Board Representative, the term is July 1, 2010 to June 30, 2011. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

Announcement of FRTA Advisory Board vacancy

Still looking for member to the FRTA Advisory Board. Looking for someone with transportation experience. If we don't hear from anyone by the next meeting, Pat Allen will do this.

New Business

- Found out today on the CDBG that we had 100 points and the lowest grant that got funded had 101 points; we were off by 1 point and are still waiting to see the review notes. If it turns out the Park (for example) ended up being scored perfectly and it was the other item that dragged the whole score down, there is precedence through the appeal process to ask that they consider funding it if they have additional funds. It was at the top of the list of the projects that didn't get funded.
- Capital Improvements committee will be meeting Thursday at 3:00 PM.
- We are working on the noise by law. Whether it will be a by law or Board of Health Regulation is still up in the air, we are doing a lot of research on that.
- Boutwell: I had a request from Montague Center to get together to do an after action report from all our storm damage. Allen agrees that this should be set up even though everything went extremely well except for a few issues.

Next meeting Monday, August 2, 2010 and there will be a special Town meeting on Thursday, August 5th at 7:00 PM.

Fairbrother makes the motion to adjourn the meeting at 8:05 PM. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye