

**SELECTMEN'S MEETING
MONDAY, August 2, 2010
UPSTAIRS MEETING ROOM**

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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; Arn Albertini, Greenfield Recorder

Allen announces that the G/M bridge will be closed August 2 to August 6, 2010 from 9:00 PM to 5:00 AM and this will happen periodically.

Approve Minutes of July 6, 2010 and July 19, 2010

Fairbrother makes the motion to approve the minutes of July 6, 2010. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Allen - Aye

Fairbrother makes the motion to approve the minutes of July 19, 2010. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Allen – Aye

Liquor License hearing, Transfer of Jay K's Liquors, Inc All Alcohol Liquor License (Package Store)

Boutwell recuses himself from the hearing. Fairbrother reads public notice into the record.

Fairbrother makes the motion to approve the request to transfer the Package Store All Alcohol Liquor License of Jay K's Liquors, Inc. to Purple Meadow Ventures, Inc. d/b/a Jay K's at 59 Avenue A with Melissa Winters as Manager. Seconded by Allen, Approved. Allen – Aye, Fairbrother – Aye (Boutwell – recused)

Route 63 Roadhouse, Hours of Operation

Boutwell recuses himself from the hearing

Cameron: Closed down for a little while and took a vacation, in the meantime we are doing renovations and plan on reopening on August 10th for the regular hours that we were open before. We are also in the process of trying to sell our business.

Bryan Dolan, TFSPSC, Permission to hold skate board contest during block party

Dolan: Current plan is to use a piece of Fourth St. from Avenue A going east through the first driveway during the Block Party, and I don't expect we will be affecting anyone.

Allen feels notification of the Skate Boards being used in this area should be given to the abutters.

Dolan plans to build some small ramps (which will then be used at the skate park) to be used during the contest and is expecting up to 20 participants, it will be open up to a wide range of people. Wants to bring California Rule sign to the event.

Abbondanzio: Basically we're not liable as long as we are going by the California rule, as long as the jumps are not negligent where kids will get hurt (ramps will be brand new).

Dolan: We will also have participants sign a waiver. 2 sides will be sidewalk curve. Inquires about the separate Insurance requirement on the form. Discussion was held

Abbondanzio states it would not be necessary to have a separate policy as long as the California Rule is followed

Fairbrother: Wanted to know where permit is? People have been required to submit applications to have a Memorial Day Service on the Common and in this case you have young people buzzing around, and we were talking about insurance issues and all we have is the original e-mail.

Dolan has the application and is waiting on more information before he submits it.

Pam Kostanski stated they did submit an application to the block party to use the space.

Boutwell makes the motion to approve the request for assembly for public demonstration from Bryan Dolan for the Turners Falls Skate Park Committee c/o the Brickhouse as part of the Turners Falls Block Party on August 14, 2010 from 3:00 PM to 6:00 PM providing he gets the signature of the police chief and the insurance portion gets addressed. Hay bales to be

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used around perimeter for safety. Seconded by Fairbrother. Approved Allen – Aye, Boutwell – Aye, Fairbrother - Abstain This event has since been cancelled

Liquor License hearing, Transfer of Rt. 63 Roadhouse All Alcohol Liquor License (Restaurant)

Boutwell recuses himself from the hearing. Fairbrother reads public hearing notice into the record

Allen asks Ms. Gershman about her experience in the liquor field. Cameron will be training her how to run the business.

Fairbrother makes the motion to approve the transfer of the Restaurant All Alcohol Liquor License of C&JDCH, Inc. d/b/a Rt. 63 Roadhouse to J.R. Saloon, d/b/a Rt. 63 Roadhouse at 32 Federal street, Jessica L. Gershman as manager. Seconded by Allen, approved. Allen – Aye, Fairbrother – Aye. (Boutwell – Recused)(FID # to be submitted prior to application being sent to Boston)

Robert Trombley, WPCF Superintendent and Paul Gilbert, CDM, Combined Sewer Overflow (CSO) Update – Fournier Press & Garage Extension, CSO Contract #3

Trombley: We are here to discuss the recommendation from CDM to assign the Combined Sewer Overflow (CSO) – Fournier Press & Garage Extension, project to Delray Contracting, Inc. We bid the project on 7/22/10. Four of the nine bidders that came to the prebid meeting came in and gave us bids. CDM has done their review of the bid and of the \$5.7 million appropriation assuming we spend the full contingency of \$96,235.40 we end up at the end of the day with \$48,595.16 out of all the funding sources remaining. Carolyn reviewed this last week and she feels comfortable with the figures.

Gilbert: CDM has checked out Delray and they are a capable and well-respected contractor in the New England area. CDM has also worked with them on several projects in the past and believes that Delray has the experience and resources necessary to complete the work of this contract.

Fairbrother makes the motion to award the project for the WPCF Rotary Press Installation and garage extension contract, #2010-1 CWSRF 2788 to DelRay Contract, Inc. 10 Nutmeg Drive, Ellington, CT 06029 with the base bid being \$907439.00 and two total alternatives with total of two alternatives \$962,354. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Allen - Aye

Fairbrother makes the motion Whereas, Town of Montague, after thorough investigation, has determined that the work activity consisting of: WPCF Rotary Press Installation & Garage Extension is both in the public interest and necessary to protect the public health, and that to undertake this activity, it is necessary to apply for assistance; and Whereas, the Department of Environmental Protection (the "DEP") and the Massachusetts Water Pollution Abatement Trust (the "Trust") of the Commonwealth of Massachusetts, pursuant to Chapter 21 and Chapter 29C of the General Laws of the Commonwealth ("Chapter 21" and "Chapter 29C") are authorized to make loans to municipalities for the purpose of funding planning and construction activities relative to Water Pollution Abatement Projects; and Whereas, the Applicant has examined the provisions of the Act, Chapter 21 and Chapter 29C, and believes it to be in the public interest to file a loan application. NOW, THEREFORE, BE IT RESOLVED by Board of Selectmen as follows: 1. That Selectboard Chairperson, Patricia Allen or her designee is hereby authorized on behalf of the Applicant to file applications and execute agreements for grant and/or loan assistance as well as furnishing such information, data and documents pertaining to the applicant for a grant(s) and/or loan(s) as may be required; and otherwise to act as the authorized representative of the Applicant in connection with this application; 2. That the purpose of said loan(s), if awarded, shall be to fund construction activities. 3. That if said award is made the Applicant agrees to pay those costs which constitute the required Applicant's share of the project cost. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

WPCF - Other

Mr. Mayrand asked Bob Trombley why the smell keeps getting worse? This weekend it was unbearable at his house (Montague City Road near General Pierce Bridge)

Trombley stated that people should call the police if they have an outdoor odor issue, because there are people on call that can come out and investigate. Problems we have had in that area of town is the collection system, as there is a low flow section that at times there tends to be a buildup of sewage in that line if there is not enough flush age. It is impossible to say it will never smell; we can look to see what is causing the smell and have done a lot of experimenting in the last year.

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Bob will talk to the staff tomorrow and have them look into the issue. Unless the entire facility is capped, the smells cannot be stopped every day. Further discussion about odor. Trombley will look into problem.

Mary Melonis, Historical Commission, Commission Updates

Melonis: I'm here to give you an update on what I do as Chair of the Historic Commission and to also bring you up to date on the Montague Historic Society which we work hand in hand with; if we didn't have the Society, we wouldn't be able to work as a commission. We're the local part of the state's Mass. Historical Commission. People come to me with requests, renovations, change of use, all kinds of requests on any of the historic buildings in the five villages. We go through and see if what they want to do is acceptable and if it is, then I write acceptance letters for the work to be done, and also for state credits. We have a board of 4 active people, but mostly it is my job as Chair. A lot has gone on in Turners Falls in the last 10 years. The five villages in Montague have a terrific history, each village has a different history from Agricultural in the Center to Lake Pleasant, to industrial. I think there is a lot of stuff out there for the Society that we should be finding, saving and recording. I think many people have no clue as to some of the things they may have that would be fantastic for the Historical Society. Even if it was to scan and save or if they were to donate something. We are now located on the second floor of the Grange in Montague Center. A goal of the Commission is to catalog all items, put them on a CD and eventually have them put onto the Town's website. Looking for volunteers who are interested in discovery, learning about the town and actually getting to know people.

Allen: I know a while ago there was some concern that the Historical Society was Montague Center only and you are really trying to encompass the entire town.

Melonis: We have. Everything now is in the Historic register, different groups did different villages but all the buildings are on the Federal and State Historic Register. Montague Center is sort of the repository for everything, and we'd like more things. Through the Commissions money, Historic Society and the family of CW Haselton (founder of power canal and a very long list of accomplishments) we managed to fund a granite bench for C.W. Haselton which is going to be on Masonic land. Frank has a CD that Anna Green and I went around and photographed all the artifacts, paintings and sculptures in the Town Hall and Libraries, that is what we used our \$200 for one year. Just so the town would have a record of what it owns because if there is a chance you want to sell something or donate it. There is a link on the website to contact her.

Fairbrother: Supports Melonis's concerns that old artifacts should be donated and not thrown away, let the Historical Society know. The Commission has a scanner/fax machine in their area and are in need of a computer. If anyone has an outdated computer they could donate to the Society and Commission that would be great. I was rummaging around in the attic a few weeks ago, and I have a voting counting technology from the turn of the century, 1896. With the Town Clerks permission, you can borrow that and take a look at it, and put it up on display. Mark will deliver this to Ms. Melonis.

Walter Ramsey, Town Planner/Conservation Agent, Request to sign MOU for Sustainable Communities Regional Planning Grant

Ramsey: There are approximately \$100,000,000 in grants available from HUD that they are calling the Sustainable Communities Regional Planning Grant program. This grant is focused on regional projects that incorporate sustainability and the arts in planning. FRCOG is being the lead agency on this, and are currently pursuing this grant and are requesting \$525,000 as a total of this grant with a 20% match. This overall grant has 2 unique components to it 1) it would be Franklin Counties first regional plan, that covers elements of the economy, housing, transportation and open space all under the umbrella of HUD's livability principals which are sustainable development principles. The second component would be a series of demonstration planning projects that embody the goals of this regional plan, but they are oriented to specific communities of the region. FRCOG has invited the Town of Montague to be a consortium partner in this grant which would make the Town a sub recipient. If the Town joins, then it would be active throughout the whole regional planning process and will be the recipient of a planning demonstration project. Matching would be in kind for my services. The idea for our demonstration project has been an effort between myself and Lisa Davol for the arts, it's important to be represented in this grant. It is still conceptual at this point and obviously wouldn't be created until after the regional plan, so we are talking 2 - 3 years down the road from here. The goal is to build a creative economy by connecting residents and visitors to the arts and recreational opportunities here in Turners Falls. The plan would be to build off the existing frame work and tie together the multiple initiatives that are going on in Town. The plan will also identify opportunities to reuse vacant and underutilized space and brownfields here in a creative way. The plan will be to I.D. opportunities to increase mobility's here in town by looking at opportunities to connect the canal side bike path, pedestrian infrastructure, and transit services with residential neighborhoods, cultural destinations and recreational sites. The Town will be receiving \$85,000 to

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develop this plan and overall the Town will be contributing \$10,000 total over 2 years which will be paid in kind through Planning and Conservation staff time.

Fairbrother makes the motion to approve the Memorandum of Understanding for Sustainable Communities Regional Planning Grant between the FRCOG and the Franklin Regional Housing and Redevelopment Authority, Community Action, North Quabbin Community Coalition, Franklin County Community Development Corporation, Town of Greenfield, Town of Orange, Town of Deerfield and town of Montague dated July 23, 2010. Seconded by Boutwell, approved unanimously. Fairbrother- Aye, Boutwell – Aye, Allen – Aye

Fairbrother makes the motion to authorize Pat Allen as Chair to sign the letter of August 2, 2010 to Peggy Sloan, Director of Planning and Development at the FRCOG announcing our participation in the above project. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

Mik Muller, Use of Public Property: Soap Box Derby/Race, Soap Box Derby Update

Muller: The event is now going to be on Sunday, September 19th and MCTV will be sponsoring the event. We have insurance through K & K. It will be a downhill derby starting at noon. Parking will be in the “cove side neighborhood” at the top of the hill by Kostanski’s. Kids will start low down the hill, teens in the middle and adults from the top. Hay bales will be used at the bottom of the hill.

Boutwell: Agrees with Pat Allen, it is a well written document. Asks about ambulance on site?

Muller: Probably won’t be an ambulance, but still working on the details, there will definitely be a first aide tent. Trophies will be given out to the winners

Abbondanzio: We spoke early on about what Town Counsel is looking for; they got the insurance, a sponsor, certificate of insurance holding the town harmless.

Muller: There are safety requirements and rules manual, which you won’t be allowed down the hill without all safety requirements being met; there will be 5 safety inspection stations. Lots of volunteers are needed; there will be over 600 bales of hay borrowed. Vendors are needed for the event. The Rendezvous is trying to set up a beer garden with Narraganset beer and they will be getting their own insurance (will come before the board at a later date).

Fairbrother makes the motion to issue a permit for Public Assembly, Demonstration and use of Public Property that being First Street in its’ entirety and Unity Park to Montague Community Cable, Inc., 34 Second Street, Turners Falls, MA, Mik Mueller representative for the Montague Soap Box Races on Sunday, September 19, 2010 from 8:00 AM to 7:00 PM (set up and break down inclusive) actual races would start at Noon and end at 5:00 PM. The document is signed off by the Chief of Police and contingent upon the procurement and supplying proof of proper insurance being obtained and each entrant signs an appropriate waiver. Seconded by Boutwell, approved. Boutwell – Aye, Allen – Aye, Fairbrother – Abstained This is a rain or shine event (Proof of insurance has been received 8/9/10)

Town Administrators Report

Fairbrother makes the motion to place Sgt. Chris Williams and Officer James Deery on Chapter 111F from Sunday, August 1, 2010 to Sunday, August 15, 2010. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

Request by TFFD to have building permit fee waived

Boutwell makes the motion to approve the request by the TFFD to waive the fee for the Building Permit Fee for the concrete pad for discussion:

Fairbrother: Last week we waived the fee for the airport storage shed because essentially that is the Town paying the Town. There is a very detailed and elaborate agreement worked out between the TFFD and the Police Department right down to who pays what part of what bill, who shovels what sidewalk, who plows what part of the parking lots and so on and so forth. I think this should be in the same category, so I would recommend that this be denied.

Allen: I would turn around and say the flags the go up through out part of the town are put up by the different fire districts on behalf of the Town as a whole and I think there are other places also.

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We are no longer being charged for alarm inspections, but we are being charged for sprinkler inspections.

Allen: My only feeling is I consider the TFFD and the MCFD as basically serving the population of the Town of Montague and I consider both of them Town entities even though I know legally they are separate districts, that's just my feeling.

Boutwell: I basically agree with what you just said and even though it is a completely separate entity it does serve Turners Falls and I know the building permit fee for the pad is not that much, so I don't consider it as a big loss of revenue stream.

This will be put on hold for now and see what effect this has on other permits they have taken out and how we have handled this in the past.

Town Administrator - Other

- RFP's are due in for the Montague Center School on Thursday, August 5, 2010 at 2:00 PM
- Special Town meeting is scheduled for Thursday, August 5, 2010 at 7:00 PM at the Turners Falls High School
- Met with Health Inspector, Building Inspector, Chief of Police and DPW Director on creating Noise regulations to be brought to a public hearing. The debate now is if it should be created as a BOH regulation.
- I'm working on a Town Meeting Handout that will be coming out in a couple of weeks.
- Letter given to Board from the Town of Erving regarding the \$5.6 million improvements that were done looking to set up a meeting time. Frank is going to forward this letter to Town Counsel for their opinion and then we will talk about a date to have a meeting with the Town of Erving. There was no discussion about this during the planning stage. There are a lot of provisions in the agreement that specify notification must take place which that never happened which is a serious violation. This is the first notification the Town has received that they expect Montague to pay part of the bill.

Other

Request for Entertainment Permit for Turners Falls Block Party

Fairbrother makes the motion to authorize the special entertainment license for the Turners Falls Block Party. Applicant being the Turners Falls RiverCulture, Lisa Davol Coordinator for Avenue A between Third and Fifth Street on August 14, 2010 from 2:00 PM to 8:00 PM. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

Appoint Alternate Building Inspector

Fairbrother makes the motion to appoint Richard Assman as Alternate Building Inspector for the Town of Montague from August 1, 2010 until June 30, 2010. Seconded by Boutwell, approved. Boutwell – Aye, Allen – Aye, Fairbrother - Abstain

- F.C. Selectmen's Association Quarterly Meeting will be held on September 16th, all Selectmen are planning on attending

FRTA Appointment

Fairbrother makes the motion to appoint Patricia Allen as representative to the FRTA Advisory board, seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

Fairbrother makes the motion to adjourn the meeting at 8:55 PM. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye