

SELECTMEN'S MEETING
Monday, March 7, 2011
UPSTAIRS MEETING ROOM

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Meeting was opened at 7:00 PM in the Upstairs Meeting Room. Present were Selectpersons, Mark Fairbrother, Chris Boutwell, Patricia Allen, Town Administrator, Frank Abbondanzio ; Administrative Secretary, Wendy Bogusz; Arn Albertini, Greenfield Recorder, Jeff Tirrell, WHAI (absent), Janel Nockleby, Montague Reporter

Allen acknowledges passing of Alan Foster, who had done a lot of work for the Town in Animal Control and extends sympathy to his family.

Approve Minutes of February 14, 2011

Fairbrother makes the motion to approve the minutes of February 14, 2011. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

Annual Town Meeting

Fairbrother makes the motion to have the annual town meeting on Saturday, May 7, 2011 and the deadline for article submission for the May 7, 2011 Annual Town Meeting is Thursday, March 24, 2011 at 4:00 PM. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

Joe Landry, Youth Sculpture Park, Request to use Peskeompskut Park

Fairbrother makes the motion to issue a permit to use Peskeompskut Park to Joe Landry on behalf of the youth sculpture park for September 24, 2011 from 8:00 AM to 10:00 AM with event taking place from 10:00 AM to 5:00 PM, approximate number of people expected is 200. There will be music and they will be making art; the police chief has signed off on the event. Also the fee for electrical will be waived. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

Catherine King, Arena Civic Theater, Concerns regarding scheduling circumstances around the Pumpkinfest

King: Sent letter regarding problems they had during the production of Annie during the Pumpkinfest. It was a parking nightmare. Appreciates value of large events in Town, but the scheduling was a huge problem for us. I would like to have it considered to change the date so it doesn't conflict with our dates at the Shea. We have held the same two weekends at the Shea for 20 years and part of my reasoning is we normally open the Friday following Columbus day and because it is all volunteers, that day is important to us because people usually have the day off, we can use the day for prep. We open the following weekend and the second weekend is when the Pumpkinfest occurred. It was really problematic for us. I had contacted Mr. Nelson and expressed my concerns. He was open to me blocking off parking areas; a fellow board member and I came and blocked things off with tape and signs that morning, but when I returned 4 hours later the lot behind the Discovery Center was full. I spent 2-1/2 hours in the parking lot with the director safeguarding the parking for the audience. When we have elderly people and people who are mobility impaired, it is problematic to say you have to park 2 blocks away in a field.

Allen: Can appreciate that, and you were very clear in your letter to the issues that arise.

King: If we have to change our dates, it becomes inconvenient and impractical for us to do that.

Allen: My own feeling at this time is I am not inclined to change the date. Last year when it was being discussed there were reasons it would not work out for the Pumpkinfest to be a week later. Things have already been set in motion for this coming year, but that is my feeling.

Fairbrother: That is what I was going to ask. Michael Nelson is asked to come to the table

Nelson: We looked at the dates and was seriously considering changing the date to make it work for you. The feedback we got from many of our vendors and entertainers was whoa, it's the middle of March, I already have my calendar planned out for the rest of the year. We sent out notification to all involved and the Shea was notified.

Further discussion about date of event this year and next and the parking problem the Arena Civic Theater has with the event.

Allen is not inclined to change date, things have already been set in motion for this year.

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Fairbrother suggests a compromise should be worked out by Nelson helping to block off parking for event; and the Arena Civic Theater should mention in their advertising that there will be parking challenges on that night.

King states how she is not please that they were not notified of the event and may consider other options other than performing in Turners Falls. She will go back and talk to her Board.

Nelson expresses his offer to help in any way he can.

Request for 1day alcohol license by the Shea

Fairbrother makes the motion to grant a one day alcohol license to the Shea Theater at 71 Avenue A, Turners Falls, MA for the purpose of a concession for the Celtic Heels Irish performance on Saturday, March 12, 2011; police chief has signed off and we have proof of liquor liability insurance. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

Town Administrators Report

Adopt Hampshire Council of Governments Resolution – Municipal Aggregation of Electricity

Abbondanzio: HCOG is a wholesaler that can purchase electricity more cheaply and they pass on the savings to the Town. As a matter of fact, we received a check this week for about \$2,500, last year it was \$11,000 - \$12,000. This is a little different; this resolution would allow residential and commercial industrial taxpayers or businesses to participate in the savings. The Selectmen would by resolution and eventually by some form of contract with the Hampshire COG would give the HCOG the right to purchase electricity cheaply for residential and business consumers in the Town of Montague. When the concept was first introduced in the 1990's, it started on Cape Cod and they were able to give their residents the ability to achieve these energy savings by buying through aggregation. This is the first step in this process and is the adoption of a resolution seeking lower electric rates and a competitive market. Eventually this will come to a Town Meeting warrant because your signing on for the ability for residents to take advantage of this program. The Town is opting in. They will come in and explain exactly what that means and I assume they will be going to Town Meeting and explaining the warrant article as well. At this point we are talking about a concept of endorsing the idea that we would like to offer a program that enables our residents to save money on the purchase of electricity, at least offer that alternative on an opt in basis.

Fairbrother: I'm happy to vote to endorse this, if someone can put a specific Town Meeting warrant article in front of us, I'd be happy to vote for that too if they come in and defend it, and they publicize it before hand.

Fairbrother makes the motion to endorse the HCOG's proposed idea of municipal aggregation of Electricity as specified by Frank. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

Deb Bourbeau, Town Clerk

Bourbeau: I'm here tonight to talk about reprecincting. As you know we had the Federal Census last year. Immediately after that is done, after January 2011, the census numbers are being approved as we speak and I should have them by the end of the month. In the meantime all cities and towns are mandated to look at their population numbers and their precinct boundaries. We, as Town have to turn into the Secretary of State's Office by June 15th a map with our boundaries, the legal description, the census tract, town meeting approval and a few other things. Then the State turns it over to the local election district review committee and they look at it and pick it apart and say yea or nay. If they say yea, we go forward, if not we have to tweek it and do what they suggest. The reevaluation is every 10 years and this is the only time the state is going to come in and help us otherwise we are on our own. My proposal is to strongly suggest that we look at the three precincts idea. If you go back to the 1700's, 1800's we were always 3 precincts up until the 1960's when we went representative government. Since the economy is in such a whirlwind right now and Frank gave out his doomsday scenario, this ties in nicely and the timing couldn't be better. (Deb goes over precincts on large map). This is a tremendous cost saving measure that the Town may want to take a look at. The map is a draft and all the precincts are within 3% (number of residents in each precinct) of each other which will allow room for tweeking once the new numbers are approved. By law, they cannot be any more than 5% of each other. I took the last 5 years of elections which totaled 15 elections and I have spent just over \$83,500. Approximately \$66,000 is poll workers salaries as opposed to approximately \$17,000 printing of the ballots. I would be saving about \$1,600 per election in poll workers salaries. I think this is a really good start at reducing the budget. I am having a harder time finding poll workers, elections run 13 hours a day and it's hard to find people who want to give up 13 hours and then I have my 6 wardens who actually work 18 to 20 hours. I'm finding it hard to replace these people as they pass on or give up the reigns. I would also only have to program 3 ADA compliant machines. Eventually the State is going to tell us we have to use the same people, the same machines, the same everything

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as other Towns. This way we would only have to get 3 voting machines and they range in price from \$5,000 - \$6,500 per machine. The polling locations would be: Precinct 1: Montague Center Fire Dept; Precinct 2: Hillcrest School; and Precinct 3 (Downtown, Patch area and part of Montague City area): Town Hall 2nd Floor as it is handicap accessible and there is plenty of parking. Another thing that comes into play with changing our precincts is our Town Meeting Acts, since they already say not less than 5 nor more than 10 means we have to amend them; which would mean a special act. This is not big deal, Frank and I have been in contact with Lauren Goldberg from Kopelman & Paige and she has been working with us to draft new language for that very purpose. On the other hand, it will also affect our Town Meeting membership. Right now we carry 126 town meeting members and it is up to the Selectboard to decide what you want to do for numbers. Do you want to keep 126 which I'm recommending not, because I'm having such a hard time keeping the number filled and getting people to actually run for those open seats, or do we want to half it by 63 and still keep 21 town meeting members per precinct so we will have 63 town meeting members (which is close to the actual number of people that show up for the meetings). I would also like to have language drawn up that if someone is elected as a town meeting member and they miss a certain number of town meetings without being excused or are just no shows, that they lose their seat on town meeting. For the past 2 years, we have been resorting to having to call town meeting members to gain a quorum before we can actually start town meeting. Other reductions that will be seen if number is reduced: lower cost for town meeting meals, postage for mailings, background material printing, DPW will be very happy since they have to deliver and set up polling locations.

The Board of Selectmen would like Bourbeau to have a public forum and open comment period before she returns before the Board.

Fairbrother would like to see 25 Town Meeting member per precinct rather than 21.

Bourbeau will hang the Precinct Maps so residents can come in and look at them and discuss issues that they may have.

Town Administrators Report (continued)

Robert Trombley, WPCF Superintendent Montague Sewer – Non compliance with MPDES Permit - Discharge

Trombley: Back on February 9th we had a failure at the Montague Center Pump station; we are still chasing the problem. We had another failure this weekend at the station, with 3-1/2 inches of rain we were passing 5.2 million gallons at the treatment plant during peak flow. Almost a 1/2 million gallons of that was coming from Montague Center, We found that with the flow coming from the Montague Center pump station, one pump was unable to keep up to draw the wet wall down. We did overflow at the manhole in the field; we went out today and looked around, checked the pump station, changed the set points, the on and off on the lead and lag pumps and we also changed the high level alarm because with both events we didn't get a high level alarm, yet manually the high level alarm works fine, so there may be something wrong with part of the level control system. I have someone coming in tomorrow to look and see what the problem might be. We have a lot of I/I in Montague Center and that is supposed to be a separate system; there are some issues up there that need to be addressed. There are some substantial leaks or subsurface line separation or cracks someplace in the system. Both events are non compliant events with the towns permit and regulatory issues. I don't know if there will be any regulatory response by way of fine or anything, I would be surprised if there were. I do expect some form of letter coming back at some point. In the past we have not received a letter back on anything we have reported. I have to generate another written report for this and get it out later this week. Don't believe it is a violation at this point. We lost both of our primary effluent screw pumps at the plant for about 45 minutes at 10:00 PM last night. We called in an electrical technician from Ames Electrical and went through the control panel and they found that all they had to do was rotate the fuse in the fuse holder and the system came back on line immediately. (Trombley explains about process of water going into the river and how it is treated).

Erving Inter-municipal Sewer Assessment – Status

Trombley: We have a new figure from the Town of Erving for what they see as our annual debt service for their upgrade, I believe it is in the \$64,000 to \$65,000 range which is substantially down from the \$200,000. CDM has not been given the word to go ahead and do a detail analysis to verify that amount of money. Further discussion will be held at a later date in executive session.

Abbondanzio suggests that there is an in house meeting with the engineer and the lawyer, the alternatives are clear, but they should be there to lay them out completely. We have an issue of dealing with this year's budget, even if we were to decide to leave the system, we would still have to be in it for another 3 years; we need to put that in as a place holder in the budget

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and go ahead with this year anyways, but the decision as to whether we are going to remain in the system or not that is something that remains to be determined. There may be advantages to cutting our losses after 3 years and start paying for the capital costs to take our waste to the Montague's plant, but that is something we need to talk with our engineers about and that is a decision we have the option of making since Town Meeting has given the Board authority to do that.

Allen: We need solid numbers, we need to be comfortable with an estimate that we get.

Trombley Need to compare the cost to stay with the present scenario to the cost of build, convey, treat and maintain the pump station.

Abbondanzio: I've spoken to Tom Sharp that Selectboard are going to be looking for some language changes in the agreement. If we decide to stay with Erving we would want to do that.

Fairbrother: To me we have two different issues that need to be decided: 1) the payment on their project; 2) whether or not we want to stay in the contract long term and if so, negotiate any changes, updates or anything like that. I will tell you now publically, I will never ever vote to pay them a dime for that project that they just completed.

Brief discussion about whether or not CDM should try to get the \$64,000 figure any lower and potential issues in Millers Falls that could drive up costs of breaking away from Erving.

Creation of Citizens Advisory committee for FY2010 CBDG Grant

Abbondanzio: The Regional Housing Authority has asked for a representative for a Citizens Advisory Committee for oversight of a grant program that we participate in with the Towns of Sunderland, Northfield and Munroe. The member would receive quarterly progress reports, would be invited to attend future hearings to update residents about the program. Putting out a call for a representative for this committee.

Other

Abbondanzio: I received a call today from Southworth, they have invited the Selectmen to come to a meeting at Southworth on Friday, March 18 from 12:30 – 1:30 PM, Stan Rosenberg and Steve Kulik will be there to discuss issues and concerns to Southworth and they wanted representatives from the Selectboard, Town there.

Strathmore Mill Complex Redevelopment – Technical Assistance Panel Report – Urban Land Institute

Abbondanzio: It didn't tell us anything we didn't already know. You realize a big advantage of having them involved in the Strathmore project, they have access to a network of people. When I was at the MMA conference I ran into the head of the ULI and he mentioned he would be willing to provide their e-mail mail out list of all the developers that they deal with. That immediately gives us an edge up in terms of getting information out to the right people. There are things that the Town Planner is already working on, trying to work on pedestrian bridge, we have an engineer working on a vehicle access study, looking at ways to improve access into the mill area. Also delaying release of the RFP until the market is better; the FRCOG has been working on possibly helping us to come to grips with getting some funding for at least part of that and be able to count some other money we already have into it, maybe to match it. Hopefully we should be coming to a resolution on that issue shortly. I think the point was they felt we needed to address some of the big problems before we put the RFP out so it doesn't scare everybody off.

Request for Special Municipal Employee Designation

Fairbrother makes the motion that the Board designate the Turners Falls High School swimming pool energy efficiency consultant as a special municipal employee in accordance with Mass. General Law, Chapter 268A, section 1N and permit personal or private employment during normal working hours. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

Appoint Permanent Intermittent Police Officer

Boutwell makes the motion to appoint Trevor Allenby as a Permanent Intermittent Police Officer for the Town of Montague, effective February 28, 2011 at the reserve officer rate. Seconded by Fairbrother, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

False Alarm Citation Waiver Request for Great Falls Discovery Center

Abbondanzio: I suggested they send us this letter requesting waiver of the false alarm citations.

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Boutwell makes the motion that the Board waive the fees for DCR Great Falls Discovery Center for citation number 01043 and 01044 from November as they had problems with rodents entering the building (problem is now corrected) with the understanding that if there are more, they are paying the fines. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Allen - Aye

Hampshire Council of Governments Power Profit Share – FY2010 Rebate

Abbondanzio: We received a rebate from the Hampshire Council of Governments for the Electric Utilities Supply contract in the amount of \$2,955.15.

Police Union Arbitration Update

Reminder for Pat that there is an arbitration hearing on Monday, March 14th at 10:00 AM at the police station

Fairbrother makes the motion to adjourn the meeting at 8:31 PM. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Allen - Aye