

SELECTMEN'S MEETING
Monday, March 21, 2011
UPSTAIRS MEETING ROOM

08

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 (absent); Arn Albertini, Greenfield Recorder, Jeff Tirrell, WHAI (absent), Janel Nockleby, Montague Reporter

Allen announces meeting is being taped

Approve Minutes of March 14, 2011

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

Lew Collins, Between the Uprights at 2nd Street

Boutwell recuses himself from the meeting

Collins would like to have outdoor café's again. This year it will be spaced differently (one a month); goes over his plans for the outdoor café day events with the set up the same as previous years.

Fairbrother makes the motion that the Board issue a permit for use of public property to Lew Collins, Avenue A, Turners Falls, MA d/b/a Between the Uprights at 2nd Street for the following dates: Sunday, May 29, 2011, Saturday, June 25, 2011, Saturday, July 9, 2011, Saturday, August 13, 2011 and Saturday, October 22, 2011; the event will start set up at 9:00 AM and the event will end by 9:30 PM, Police Chief Zukowski has signed off on the event. (If Pumpkinfest or Block Party dates change so will the requests for those dates). Seconded by Allen, approved unanimously. Allen – Aye, Fairbrother – Aye.

Boutwell rejoins the meeting

Updates given by Abbondanzio

Finalize Re-precincting with Deb Bourbeau

Handouts: Chapter 398, Acts of 1962 (as amended); 1) Sample Proposed Revision – Total number of town meeting members specified in special act; 2) Sample Proposed Revision – total number of town meeting members specified in special act, and “not to exceed” number of representatives per precinct; 3) Sample Proposed Revision – 21 town meeting members per precinct

Bourbeau: Last week we had our public forum for the re-precincting, there was a small turnout and I think most people are receptive to reducing our precincts from 6 down to 3. We might need help coming up with a figure of how this will effect Town Meeting and our Town Meeting membership. I did the Town Meeting Act revisions and e-mailed them to all of you and Lauren Goldberg of Kopelman & Paige. I wanted to know if anyone had questions with the revisions as far as the deletions and insertions I sent out?

Allen: I thought most of them made sense and I noticed there was not a section yet on how to handle people who never show up.

Bourbeau passes out some examples on forfeiture of office for town meeting members that don't seem to take their elected duties seriously. I talked with John Barr, the Re-precincting coordinator for the Secretary of State's Office and he thinks by the end of this week we should have our 2010 numbers and you can find them on census.gov. When the numbers become available, I will start working with him and moving our boundaries accordingly so we can keep our villages intact as most as we can. He seems to be very worker friendly when it comes to that. Deb has questions on Section 37 and is awaiting a response from Lauren Goldberg.

Lynn Reynolds: Ask what precincts she has the most problems getting town meeting members from.

Bourbeau states that it's pretty even across the board and thinks the seats will be filled a lot easier.

Fairbrother would prefer 21 be higher, was thinking 25 per precinct and there were people at the forum that said 30. Bourbeau would like the Board to come up with a number tonight since Thursday is closing of the warrant; Boutwell reminded everyone the number needs to be divisible by 3

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Fairbrother makes the motion to adopt sample #3 at 24 town meeting members per year and send it forward to Town Meeting. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen – Aye

Bourbeau goes over suggested changes to the Town Meeting Acts (Chapter 398, Acts of 1962) by Lauren Goldberg (copy in file) and lengthy discussion was held to add specific wording regarding someone losing their seat for not showing up to meetings. People that are “no shows” have to show at least one meeting in a calendar year or they will lose their office and will need to fill out the paperwork to run as a new town meeting member and won't be listed as a candidate on the election warrant. People that are “excused” must show up for at least half of the scheduled meetings in their 3 year term.

Fairbrother makes the motion that the board insert a forfeiture of office clause in the Acts of Town Meeting to the effect of what was stated above. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

Bourbeau: If we are going to do the forfeiture of office, we have something in place to fill the vacancies which is within each precinct we have mini elections. So you know we have a backup contingency plan so that we don't leave any unfulfilled seats or unexpired terms. Within each precinct we will have a mini election and what happens is the Town Meeting Members of that precinct actually vote someone in to be a town meeting member. If and when our precincts are reduced and our new town meeting membership number takes effect, at our first annual election, which would be in May 2012, we have to start over with a brand new slate of town meeting members. We will be electing officially 24 new town meeting members from each of our new precincts and how they're determined is the first 8 in each precinct who get the most votes will get the first 3 year term; the second 8 people who get the second highest most votes get the 2 year term; then the last 8 who get the next highest votes start off with the one year term. From there, we start re-electing in years in terms of three years; so we can start staggered, that is how we determine who gets what term and people will be listed on the ballot by lottery. Information will be going out to town meeting members and it will be put on the web site.

J. Reynolds asks that a pre-town meeting be held this year and the Board agrees.

ReUse of Cumberland Farms Building (Walter Ramsey, Lynn Reynolds)

Ramsey: An update on the buildings condition: The roof is leaking on the Cumberland Farms building at 38 Avenue A. DPW has gone out to the site and is capturing all of the leaking water right now, but water damage has been found at the site. The cost of fixing up the building is going up basically by the day and right now it is in the 40,000 - \$50,000 range to do the minimum amount of repairs to fix the roof, put in a new HVAC system and in addition there will be costs to fix the water damage. The EDIC is waiting to hear back from DCR in regards to the ownership status of the parcel and the future interest that DCR has. We should hear back tomorrow. The Town and EDIC have issues with the building rapidly deteriorating and very soon being a threat to public health and the quality of downtown. As I see it, there are three options: 1) Demolish the building for approximately \$15,000 and reseed the area, if frost walls cost would go up; 2) To offer the property to DCR, EDIC would relinquish control to DCR, we are waiting to hear back if they have an interest in the property; 3) work out a lease to prevent the building from being further blighted. EDIC would enter into a longer term lease where occupant leasee would contribute capital upfront that would go towards repairing the building in exchange for lower rent rates. The main account has just under \$2,000 and there is a savings account with \$12,000; insurance needs to be kept on the building

L. Reynolds asks what is the Towns desire if everything was equal, would the Town prefer to own the building rather than DCR own it?

Allen responds that she would rather see the building remain standing if something can be done quickly. She would rather see it remain for 10 years until it could be used for something else and rather the Town own it than DCR because we have a better idea and understanding of what we want and would be better able to effect the results that we actually want.

Abbondanzio would prefer to see the Town own it if we can work out an arrangement through EDIC to lease, we have the authority under Chapter 121c, Section 5 to lease the building without having to go through a regular procurement process. In that case, we would be open to maybe accepting the proposal that has been put before us, and we're not sure the party is interested in moving forward with it, but it involves MCTV, that would also provide a head quarters for the Riverculture Office and a long term commitment to provide some sort of cultural use at that location. That is important because when we took the building by eminent domain, we pledge to a public purpose and the EDIC is actually operating under an economic development plan that Town Meeting adopted back in 1985 that basically says that is how we need to use it. If

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that party is not interested in moving forward with it, then I think we are looking at the possibility of demolishing it and looking at a long term cultural use on that site. I prefer to see it standing if we can work out that agreement.

Fairbrother: Thinks the building should be taken down.

Boutwell: Thinks the Town doesn't want to get too heavy into real estate, which somehow we seem to be doing, but as far as taking it down, I'm not a fan of that either because that is a crucial location when you come into Turners Falls and thinks we would be losing a lot. Would like to find some way to stabilize without spending beaucoup dollars, and get something back out of it.

Reynolds: I'm concerned about the numbers I am seeing. The EDIC is not in the position with their bank accounts the way they are, they are not in the position to ask the Town for money. The second piece is this building is a sow's ear, there is nothing of integrity about this building, so if any building was to fail, I would feel least bad about this one; it does not have the historical significance as some of the other wonderful things that we have in town. It is not an efficient building, not a green building, sometimes you're just better to start from scratch, and this may be one of those cases.

Allen: It will be interesting when we hear from DCR because that will decide whether this entity is interested in leasing it too. DCR wants to make the building into a garage for storage.

Abbondanzio: That was their proposal before, we currently allow them to use one of our garages here for that purpose, that may not be what their need would be. My guess is they don't want to have anything to do with it. If MCTV doesn't want to proceed with their proposal, then probably the best alternative is to demolish the building. I don't see the Town putting any money into it.

Ramsey: Demolishing it wouldn't preclude it from future development, the Town could still work towards achieving that long term vision we have for the site, we'd just have a clean slate to work with. In the meantime, we'd just have more open space in Town.

Ramsey will come back to the Board with more information when it becomes available.

Feasibility Study for Solar Park

Ramsey: We had a meeting on Tuesday to discuss the feasibility of developing the Turnpike Road Industrial area into an industrial park and solar development area. Turnpike industrial area is 163 acres off of Turnpike Road, known locally as the landfill area. This area is Town owned, industrial land has what is the capped landfill, the uncapped burn dump and a large gravel pit at the end of Sandy Lane by Judd Wire. We learned that the town is in need of future space for industry to locate, the Airport is approaching capacity, Millers Falls Road industrial area on the Plains is not looking like it will come to fruition for the town. We are in a position to evaluate where future industrial growth is going on; in the mean time, there is a lot of opportunities and incentives out there for solar development. We discussed how these two elements might fit together specifically in the Turnpike Road industrial area, which is our largest industrially zoned land in town that is readily developable. We learned the town can make money from ground mounted solar arrays; they realize these benefits through reduced electricity rates, revenue from leases on Town owned land and tax revenues from the actual structures themselves. They are particularly appropriate for the landfill site because there are development constraints on that site (steep slopes, heavily previously used land on landfills and such). While these lands are difficult for industrial development, they might be, and there is reason to suspect that they are appropriate for solar development, it is a good way to generate revenue off of marginally useable land. Where the Town stands now: We know there is industrial potential on the site, there was a 2000 feasibility study done that there was the potential for an industrial development, but at this point with the solar opportunities out there, we need to do some site planning and engineering before we are ready to move forward with putting out a solar development RFP. We want to make sure if we do solar development in that area, that is compatible with any future industrial development, we don't want to give up our prime industrial land. There is also the potential for the two to feed off of each other through the potential reduced electricity rates to industry; that is a detail I'm working with other solar experts on right now and could be a big potential for the Town.

Allen: I think there are some incentives out there in the next couple of years, as well as maybe saturating a market temporarily.

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Ramsey: Correct. In that sense, solar developers are in the neighborhoods, towns all around us are engaging in these agreements and finding it profitable. The market will be saturated and these incentives will dry up over time.

Allen: We need to be on top of this.

Ramsey: We have the advantage of being a green community, so developers look to a town like Montague; they see that the political climate is kind of ripe for these types of projects. Coming out of that meeting and working with Peggy Sloan at the FRCOG, I've been putting together a draft scope of services for predevelopment work that would need to happen at that site. This work is a site master plan for the 163 industrial acres and this master plan would include both solar development potential as well as industrial development potential and look at the compatibility of those two. This predevelopment work would also look at capping the burn dump that is located on the site; it would determine the legal and regulatory issues to be addressed when you cap a burn dump so it could allow limited development at some point; it would also determine the physical and solar capacity of the burn dump to support ground melt and solar arrays and give a cost what it would be to cap the burn dump, which is an obligation the town is going to have to build at some point.

Abbondanzio: It would be important that in that part of the study needs to be emphasized that we need to come up with a low cost alternative capping. Part of this is if we use it for solar mounting area that we would somehow be able to be held to a lower standard by the state. Also need to include leaving the site for the future development of the town highway garage.

Ramsey: Predevelopment work would also look at the municipal sand quarry; it would determine how much fill would be required to make industrial development and infrastructure feasible in that area and to determine the solar capacity of that area as well. We have reason to believe it has a decent solar capacity, we have people looking at it soon, it has a nice south facing prospect and the walls of the gravel pit don't seem to be too high.

Abbondanzio thinks it would be helpful to have a small component that's in the developers kit for solar developers in particular, so we can do mail outs to some of the Mass. solar companies to try and attract some attention, particularly when we have a feasibility study they could also request that, but something to get their attention.

Ramsey: I'm working with Stantec right now who is on contract with the FRCOG to do engineering work, they are going to give us a cost estimate to do the scope and work and industrial development sites are included as part of the master plan. In 2009 the Town set aside \$104,000 for predevelopment work to study the Millers Falls Road industrial site which is the Plains Industrial Park which is no longer on the table at this point. I will likely be requesting that the Town allocate some of those funds for further studying predevelopment work at the Turnpike Road Industrial area. (This will be included on the ATM Warrant). We should have a number by Wednesday.

Discussion

Ramsey: I attended the Mass Broadband Initiative conference on Saturday. That project is gaining steam and Montague will be getting middle mile fiber technology, specifically in the villages of Turners Falls, Millers Falls, Montague City and I'm working on negotiating updates and middle mile lines down to Montague Center. Ramsey gives explanation of "middle mile".

Annual Report

Abbondanzio tells Board if they have any changes they would like made to the Annual Report, please let him know. Allen thought it was very good.

Other

There will be a special meeting on Thursday, March 24 at 4:30.

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

Fairbrother makes the motion to approve use of public property to Connecticut River Internist, through Joseph Viadero to include Burnham St., a portion of Montague City Road, and Depot St. beginning at 8:00 AM and ending at 2:00 PM on April 17, 2011. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

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Announcements

- Welcome Spring parade on April 9th will begin at Sheffield School and Michael Nelson has announced that Turners Falls Fire Chief, Ray Godin has been selected as the Grand Marshall for the first Annual Franklin County Spring Parade.
- Parks and Recreation Office is moving back to Unity Park Field House the week of March 28th.
- DPW returning to summer hours of 6:00 AM to 4:00 PM effective April 4, 2011 Monday through Thursday.
- Montague Agricultural Commission is looking for interested members so they can reinstate that commission
- Montague Economic Development Industrial Corporation is looking for interested members, contact Walter Ramsey for more information.
- Free Flu shots in the Nurses Office on Thursdays, from 9:30 AM – 11:30 AM

*Fairbrother makes the motion to adjourn the meeting at 8:23 PM. Seconded by Boutwell, approved unanimously.
Boutwell – Aye, Fairbrother – Aye, Allen - Aye*