

**SELECTMEN'S MEETING
Monday, May 17, 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 (absent), Jeff Tirrell, WHAI, Janel Nockleby, Montague Reporter

Allen opens the meeting and announces the meeting is being taped

Reorganization of Board of Selectmen

Allen makes the motion to appoint Mark Fairbrother as Chairman for the upcoming year. Seconded by Boutwell, approved. Allen – Aye, Boutwell – Aye, Fairbrother - Abstain

Allen makes the motion to appoint Chris Boutwell as clerk. Seconded by Fairbrother, approved. Allen – Aye, Fairbrother – Aye, Boutwell - Abstain

Approve Minutes of May 9, 2011

Allen makes the motion to approve the minutes of May 9, 2011. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Pole Location Hearing, To Place 1 Solely owned pole #151/12-1 on the southerly side of N. Leverett Rd. Donald Fish, WMECO

Fish: Purpose of this pole petition is to provide a back feed situation for this part of Montague and Leverett in case we lost power from Judd Wire out to that direction we could back feed out of Amherst to pick up back up to Judd Wire and this will be a first time we will have an alternate feed. Where before it was only one way situation. We are doing this in as many places in different Towns as we can. This is an opportunity that will benefit the Town all the way to the Shutesbury line.

Allen makes the motion to approve the placement of the pole as indicated on N. Leverett Road, work order #6F120199 for WMECO for the back feed pole. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Deb Bourbeau, Town Clerk, Approve Precinct Map

Bourbeau: Because of the Annual Town meeting not approving the 3 precinct map that we thought we might end up with, we are going to end up with our 6 precinct map. Basically it is the same as we have today, there are only minor changes. New map should be here within a week.

Allen makes the motion to approve the new layout for the 6 precinct boundaries map in concept for Montague provided pending the official map from the state. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother – Aye

Frank Abbondanzio, Town Administrators Report

Vote to change signatory on WPCF CSO Project

Allen makes the motion that Mark Fairbrother be the signatory for WPCF CSO project and Pat Allen be the alternate signatory for the CSO Project. Seconded by Boutwell, approved unanimously, Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Sign Hampshire COG Municipal Aggregation Application

Abbondanzio: This was approved by Town Meeting under article 30 and I have the application that is being submitted by the HCOG and requires the signature of all the Selectmen. Wendy forwarded the information to Chris Mason of the Energy Committee.

Allen makes motion to sign the Hampshire COG Municipal Aggregation Application for providing electricity for our residential and small business customers as indicated on the document dated May 11, 2011 from Kenneth Elstein. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother – Aye

Sign Support Letter re: Montague's EPA Re-Powering Feasibility Study

Abbondanzio: This is for an application for the EPA's Repowering America's Land: Sitting Renewable Energy on Potentially (Contaminated land and Mine Sites initiative. We are currently doing a feasibility study on the Turnpike Road Landfill site and looking at the potential of developing that for an industrial and solar park and there is 163 acres of land

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that encompasses the capped landfill, an uncapped version of the abandoned municipal gravel quarry. It fits into the criteria pretty well for this particular grant program. This is a letter of support supporting the application.

Allen makes the motion to approve and authorize the chair, Mark Fairbrother to sign the letter to Ms. Matthews at the US EPA in support of our application for the EPA's grant for Repowering America's Land for the Turnpike Road Solar Energy Park. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Approve 2011 Summer Meeting Schedule

Allen makes the motion to set the summer meeting schedule for 2011 as presented: May 17 - (Tuesday), May 23, June 6, June 20, July 5 - (Tuesday), July 18, August 1, August 15, August 29, September 12 (Regular weekly schedule resumes) Seconded by Boutwell, approved unanimously.

Other

Abbondanzio: This is a letter from the Town Planners Office, it is a letter drafted in support of an initiative drafted by the FRCOG under the Connecticut Railroad Scenic Byway Program. This is an application to develop a bicycle facility map and other tourist oriented bicycling information for the Tri-State area.

Allen makes the motion to approve the letter and authorize the Chair Mark Fairbrother to sign this letter to David Mohler, Deputy Secretary for Planning at Mass. DOT for the application for FY2011 Scenic By-Ways to develop a bicycle facilities map and other tourist oriented bicycling information for the Tri State Area. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

- Site visit at Montague Center School on Thursday, May 19 at 10:00 AM
- Scheduled a joint hearing (BOS & BOH) on Tuesday, May 24 for Dieseling trains in Millers Falls and Lake Pleasant at the Discovery Center Great Hall at 6:30 PM, advertised as hearing

Resignation from and Appointment to the Montague Cultural Council

Allen makes the motion to accept the resignation from the Montague Cultural Council by Susan Levine. Seconded by Boutwell with regret. Approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Allen makes the motion to appoint Geri Bannister to the Montague Cultural Council effective immediately to finish the term of Susan Levine. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Public Records Request Letter

Abbondanzio: We received a letter regarding a public records request from Peter Golrick. (letter from and to Mr. Golrick read into the record)

Allen makes the motion to authorize the Chair on the Boards behalf to sign the letter to Mr. Golrick in response to his letter of May 5, 2011. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

- Boutwell would like an update on the Railroad Salvage Property

Dog Complaint Hearing, Owner: Chris Roberts, 118 Federal Street, Millers Falls

Fairbrother swears people in (Sgt. Dodge, Chris Roberts, Richard Cummings)
Reads letter sent to Mr. Roberts regarding hearing

Roberts: I certainly acknowledge responsibility for my pets and try to be a reasonable neighbor. I have a new job in Chicago and attempting to sell my home and move and I will be taking my dogs with me. I am currently commuting to Chicago every week which is very expensive and I'm not able to sell my home and have been trying for over a year. Housemate Ian takes care of dogs when I'm not home and my friend Richard Cummings watches them when we are both out of town. In January I installed security cameras so I could remotely monitor what is going on. There was an instance in April where I saw on the camera that one of the dogs was left out and unfortunately it was the yapper. I kept trying to reach Richard but he didn't hear his phone as it was the middle of the night and wasn't able to respond until the next morning. Ian's sister lives in Orange and has agreed to take the yapper. The other dogs will be there but they are not the ones that do the barking. We leave them locked in the house when we are gone and they are only let out when Richard comes over to

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release them. Until we move, when we are home I am willing to put a muzzle on them as well. I do care and I'm trying to handle things. I just ask for your indulgence and that of my neighbors to give me patience while I try to get this take care of. I now have 3 people on a phone tree that I can call if there is a problem.

Sgt. Dodge: The complaints have been going on for quite some years now and we've been pretty patient since 2006; the complaints are as recent as the end of April. I personally spoke with one of your neighbors and they don't like having to come to this point. They are trying to be friendly neighbors but they should also have some peace. I do feel they have a legitimate complaint here being this is 5 years in the making. As I said, one of the people I talked to said they didn't even want to go to this extreme, but they are so tired of it right now. Another neighbor I spoke to said they do bark, but he didn't want to go on record. Your absence is probably one of the biggest problems, I suppose if you were home there wouldn't be an issue.

Roberts: Any time we are going to be gone, the barker will be staying in Orange. He will not stay unsupervised in our house.

Allen: An impression I got was once you came home you instituted quite a few ways to try to get past this problem, and make it not an issue anymore. I had wondered about a muzzle so the dog wouldn't be barking when it is home. It must be getting out in the back yard more often then you realize.

Roberts: I have doggie doors so they can go out and the yard is fenced.

When this issue is revisited the Board will need to know if there have been more complaints from neighbors. This can also be revisited at a later date.

Dodge asks for contact numbers from Mr. Roberts so that there is someone they can contact in the middle of the night. Roberts will give numbers to Sgt. Dodge.

Hearing closed at 7:49 PM

Allen makes the motion to request owner to muzzle the barking dog, the toy fox terrier when dog is at residence, when neither owner is home the barking dog will be kept in Orange. Then the Board will revisit this issue on June 6, 2011 and will notify neighbors who have complained that they can contact us before June 6 if there are any issues. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother – Aye

Allen makes the motion to go into Executive session to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. (Rule #3) Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother – Aye

Allen makes the motion to adjourn the meeting at 8:12 PM. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother – Aye