

**SELECTMEN'S MEETING AGENDA  
UPSTAIRS MEETING ROOM  
1 AVENUE A, TURNERS FALLS, MA  
MONDAY, October 3, 2011**

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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 (absent), Town Administrator, Frank Abbondanzio; Administrative Secretary, Wendy Bogusz; Jeff Tirrell, WHAI; Chris Curtis, Greenfield Recorder, Janel Knockelby, Montague Reporter*

**Fairbrother opens the meeting and announces the meeting is being taped**

**Approve Minutes of September 26, 2011**

*Boutwell makes the motion to approve the minutes of September 26, 2011 Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Fairbrother – Aye*

**Informational Meeting for FY2012 CDBG application**

Abbondanzio reads public hearing notice into the record

**Context: FY12 CDBG Program**

Abbondanzio: This is Federal funding from HUD and is administered by DHCD which is the state agency. The National objective is to benefit low to moderate income persons. This is a competitive application and is due on December 16, 2011. The maximum funding is \$900,000, we have to have two projects in a targeted area to be eligible for that amount. That is a reduction from the maximum we had in the prior year which was a \$1 million, and that reflects the cuts being made at the Federal level.

**Eligible activities:**

Abbondanzio: We're looking at housing assistance, potentially doing another housing rehab program. We currently have about 5 -7 units on a waiting list for housing. Economic development/commercial rehabilitation is another one – sign/façade rehab; public facilities this is senior centers, neighborhood centers, parks and rec playgrounds. This is how we got funded before and it would be how we got funded for a second round of funding, phase 2 Parks and Playgrounds. Other things we could apply for under public facilities, youth centers, architectural barrier board removal and other types of facilities, but you need to serve low to moderate income persons. Infrastructure including streets, sidewalks, drainage improvements, upgrades to water supplies and distribution systems, construction and repair of sewer lines including infrastructure to housing projects. Public social facilities, this I something we didn't have in the current years application, but have had before; planning projects is another activity. There is a process that will allow residents and town departments to bring projects to the Board of Selectmen for their review. Town held an informational meeting to review a draft of the CDS on September 27, 2011, the final draft will be reviewed by the Board of Selectmen and approved by November 14, 2011. We will hold another public hearing at which time the Town will present the projects that are going to be included on the FY2012 application.

**FY11 CDBG Grant**

Hunter: 2011 activities that were awarded were Unity park Phase 1, had to hold up signing an engineer until we had a signed contract from the state. By November we should be ready with bid ready specifications and have a bid in early January. We requested 5 housing rehab units received only 3 as we were cut by \$100,000. We currently have 12 people interested in the program and sent out applications to all of them. 5 responded, and we will determine 3 of the most needy, hope to fund all 5, have an additional 7 people on the waiting list and we hope to be able to apply again this year to serve those people. The 2009 application was completed in early spring. This application we had hoped to have construction and the housing rehab components completed by June/July 2012. DHCD made a change in their action plan for the 2012 application by, reducing the amount of money you can apply for. This will be very competitive; we need to have an application that best meets needs of community. Any request made here tonight should also be submitted in writing.

**Request citizens and town departments input for the FY12 CDBG application**

Jon Dobosz: Would like to make a request for phase 2 of Unity Park project. Phase 1 is playground area and improvements to the parking lot and areas around the field house to make it a little more accessible. Phase 2 we are looking to include improvements to the ball fields, we are starting to notice safety issues, we'd also like to make improvements to the basketball courts and create a define parking lot on east portion of the park. We are also

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looking to have a walk way to connect all areas in the park and hopefully we'll have some exercise stations on that walkway as well. We are also looking to create a community garden in the eastern portion of the park.

Fairbrother asks about previous grants and Hunter provides breakdown of previous grants.

Hunter: The availability of funds next year that DHCD has proposed is \$1.3 million in successive years maximum with a \$900,000 cap per year. So if you apply for \$900,000 this year the max for next year will be \$450,000. Housing rehab was cut in almost all communities. We are hoping to score as high this year as last year. We sent out the advertisement to people on the waiting list and we received e-mails and letters notifying us of their support so you will see there is a need in the community. We are talking about targeted areas, Turners Falls, Montague City area up to the police station and come this way, west. Does not include, Lake Pleasant, Montague Center or Millers Falls.

**CDS**

Abbondanzio: Had an information meeting on September 27 and that updates the history of what our needs are and what projects we are undertaking to address those needs.

Community garden was not a great year for gardening in the valley, will be back in November to discuss this for next year. We are thinking bigger for next year.

Fairbrother closes informational hearing at 7:27 PM

**Registration for use of public property: Annual Rag Shag Parade**

*Boutwell makes the motion to approve the request by John Murphy to hold the annual Rag Shag Parade for the town sponsor to the Veterans from Food City Parking lot, Use of Public Property (Avenue A) on October 31, 2011 from 5:30 PM to 7:00 PM, and Chief Zukowski signed off on the request. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Fairbrother - Aye*

**Registration for use of public property: Charity 5 K Road Race:**

*Boutwell makes the motion to approve the request by Zac Billings for the Harmony Lodge to use public property, location of assembly, harmony lodge and the bike path on October 22, 2011 beginning at 9:00 AM ending at 12:00 PM, they will be using the route east on Masonic Avenue, North on Rod Shop Road, West on Solar Avenue, across Montague City Road and bike path, turn around at Patch bridge and return by same route, people expected are 100 – 120. This is a charity 5K road race and is an annual event which has been signed off by Chief Zukowski and certificate of insurance is attached. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Fairbrother – Aye.*

**Walter Williams, Owner 125 – 131 Avenue A, Turners Falls, re: complaints about drunken and disorderly behavior associated with tenants of his building**

Abbondanzio reads letter sent to Mr. Williams into the record after receiving a petition from residents of his property

Williams: I have a lot of comments with just the letter alone. You already have me as guilty, these are just accusations, police have been there, I don't know what else I can do if Police go there and don't make arrests. I confront tenants, they tell me they don't do it, am I supposed to call them a liar? Some of the accusations in here are false. My store is closed at 6:00 PM, this is going on past midnight. You think it's the same people buying the same beer from me, I don't think so. The letter says 4 years; I don't have one tenant that has been there 4 years. I need to see a list of the tenants. I would like to see a copy of the petition. I would like to work with it, if it is tenants. I care about my business; I don't want to listen to this. I would have written this letter a lot differently than whoever did write it. This pretty much says I'm guilty; you are threatening to take away a liquor license I have. I make sure nobody is very intoxicated when they are in my store, if they are they get shut off, they aren't even allowed in the store. We've had a problem with loitering for several years; I have signs in every door way on my building. It could be tenants sitting there, but it could be others also. I have come over every time the police have called for an incident but nothing recent. I take pride in the buildings I own and, have owned buildings in town for over 20 years.

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Zukowski: I supply the Board with the calls to that location, I think it's isolated to a certain area and that is what they are asking you to take care of.

Williams: I will take care of it but the way this letter is written, I'm already guilty. I know there are problems here and there but what can we do. It's hard to fill spots in the down town area.

Zukowski: I don't think it is a magnitude of a lot of customers, I think it is an isolated problem that you are aware of, and that is the main focus of this. If you can deal with that, I think the neighborhood would be happy.

Williams: I am trying to do that. I work with the police on any of the calls, but I don't know what I'm supposed to do, how are you supposed to take away their rights; apparently they are not committing too many crimes if they aren't arrested half the time.

Zukowski: If people don't give their names when they call in a complaint, the officers respond and try to deal with it, but we don't have a case. I've urged the people with this petition to leave their name and say yes, they will go to court, then we'll gladly act on it. The officers are not giving that building any leeway.

Detmold: Thanks Walter and Chief for the dialog tonight. Since the last month since petition handed in, it has been quiet in the neighborhood and we appreciate your efforts in correcting a long standing problem in the neighborhood. When it first began about 3 years ago we talked to Walter and his mother about the problems. We first went to the landlord directly and did not find relief. Since then, we have called the police repeatedly for years, many neighbors have called police. The kind of language we are subjected to year after year is not the kind of language you would want to raise your children next to. We pay taxes too so we should be able to enjoy the same protections of the by-laws of this Town as any other part of town and we should be able to live in the peace and security of our homes, and not have to listen to this until 3:00 or 4:00 in the morning. That is why we are asking you all, if it continues as it has in the past, what can we do to find relief? Detmold tells about two separate incidents where a small fire was set in the downtown and hopes it wasn't in retaliation to the petition.

Jen Downs: Expresses her concern about the 4<sup>th</sup> St. corner, she avoids it after dark

Brian Faldez: I'm a partner at the computer store on the corner of 4<sup>th</sup> St. and Avenue A. I did sign the petition, after a man and women had a knockdown, drag out fight across Avenue A. This is a good town and the only reason I signed on was because of that one event, I know nothing else about the history. I'm surprised at the severity of the Boards wording of the letter sent to Mr. Williams, guessing there is history that I am not aware of.

Boutwell: I know Walter and if there is a problem and he sees it, I believe he will address it.

Fairbrother: Sounds like we have a long time ongoing problem down there, but I have heard that it has gotten a little better recently and someone else said you have been responsive. We need you to know we take the complaints of the residents seriously, it sounds like you are making an effort to clean it up.

Williams: I take it seriously too. I get upset, and the police know I get upset with a few of my brothers. I try to help them out and this is how I get paid. It's a little more difficult to take care of than most people realize, it can't be fixed overnight. I need to be made aware of issues.

Zukowski: He's being upfront, hopefully it all works out. Nothing is going to be overlooked by us, If people make complaints and we can verify them and they are willing to make a statement, we will bring people into court.

Detmold: Our experience Chief, is when we call police, they will come and for 2 – 3 minutes will be in contact with problem, then the police will go and then the problem will continue. What do you want us to do?

Fairbrother: David, I think you might have misheard the Chief. He said "the problem knows the system". The residents reached a point where they had enough and requested the Selectboard try to get something done to alleviate their problems. It sounds like that may be happening which indicates the residents have to be more involved in some ways to help. Sounds like it has to be a community effort, and Mr. Williams may have started

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doing a good job of helping out, I hope it continues and things continue to get better. I'm confident it is not all of Mr. Williams' problem. It is suggested that more communication happen between Walter and the residents.

**Sign Civil Service Requisition (Form 13)**

*Boutwell makes the motion to approve the document for Civil Service request for the Police Chief Exam and also for the Sergeants exam the next time it is available. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Fairbrother - Aye*

**Hampshire Council of Governments**

*Boutwell makes the motion that the Board sign the Municipal Agreement of Electricity petition to the Hampshire Council of Governments. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Fairbrother - Aye*

**Other**

Abbondanzio: Tomorrow there is a meeting scheduled on the diesel locomotive problem in Montague. It is not open as a public hearing, but it is going to be a multi-disciplinary thing that will involve the EPA, MASS DEP, PAN AM Railroad, New England Central Railroad, the Federal Railroad Administration, Surface Transportation Board (Federal agency) and a number of political officers and representatives. We are going to the next step.

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