

SELECTMEN'S MEETING MINUTES  
UPSTAIRS MEETING ROOM  
MONDAY, April 23, 2012

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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; Chris Curtis, Greenfield Recorder; Jeff Tirrell, WHAI; Janel Knockleby, Montague Reporter*

Fairbrother announces meeting is being taped

Minutes of April 17, 2012 not available

Michael Nelson, Chair, Spring Parade Committee, Request to use public property: 2013 Spring Parade  
Allen makes the motion to approve the request for use of public property for the Spring Parade 2013 on April 20, 2013, with a rain/snow date on April 21, 2013 from 11:00 AM to 3:00 PM, it has been signed off by the Police Chief, it will take the same route as this year (from Sheffield down Montague Street to Turnpike Road to Millers Falls Road and back to Sheffield. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Don Clegg, Request to use public property: Farmers Market, votes may be taken  
This will have to be referred to EDIC as the Town does not own the property

Revote Endorsement of May 5, 2012 Special Town Meeting Warrant Article 1, votes may be taken  
Lynn Reynolds: Everything is looking positive at this time about working out an arrangement with MCTV. However we have not been able to have them to have a meeting yet, we do not have a contract with MCTV and one of the things that is important in terms of working things out with them is MEDIC needs to be able to pay its bills, especially in terms of paying their insurance policy that is about \$1,000 per year. Pending a favorable outcome of all that, we are hoping that we could leave that stand until we have a better sense because we were hoping we were not going to need that money but if we can't come to an agreement, then we may need that money.

Fairbrother: That article is on here tonight because I made a mistake last week at the Joint Finance Committee/Board of Selectmen's meeting the vote was taken to endorse this warrant item and I very foolishly voted for it and I put this on the agenda for tonight to give myself an opportunity to vote against it.

Abbondanzio: One of the questions that came up was relative about the appropriateness of using the funds that come into the cable company from Comcast for using in the rehab of the building, whether that was appropriate, both the capital funds and the operational funds. Two different sources confirmed that there is no problem with that. Town Counsel said there is precedence elsewhere that the capital funds can be used for facility upgrades and equipment, and operational funds are pretty open ended in how you use those. In talking with Mik Muller, he stated he had called Comcast and the governmental representative said he did not see any reason why the town couldn't use the money for that purpose. The Selectboard would have to request an opinion from him. I asked Counsel if the EDIC leases the Cumberland Farms to a private entity, MCTV, would chapter 149 bidding law apply because it is a public building. That question was answered by Town Counsel that No, it would not because because we are not basically specifying what has to be done in that rehab, it is not providing a public purpose or serving a public purpose. It is not circumventing bidding or anything like that. Chapter 149 does not apply. This was not considered in crafting the budget for the rehab of that building, it would be considerably more expensive if you had to go through public bidding and it is exempt.

*Allen makes the motion to revoke the endorsement for the May 5, 2012 Special Town Meeting for warrant article 1 which is for the EDIC building formerly known as the Cumberland Farms building. Seconded by Boutwell, approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye*

*Allen makes the motion that the Selectboard endorse article 1 of the May 5, 2012 Special Town Meeting. Seconded by Boutwell, approved. Allen – Aye, Boutwell – Aye, Fairbrother - Nay*

Fairbrother: Hopes to have an amendment for Town Meeting floor, urges fellow selectmen and Town Meeting to not support this as written. I hope to have an amendment for the floor of that meeting which changes the motion to say if you want the Town of Montague to put money into this building, we become the owners of the building and no money goes into that building except to demolish it or prep it for lease or sale to a for profit entity.

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**Robert Trombley, WPCF Superintendent, Plant Rating and Staffing Requirements**

Trombley: Previously we sent off information to DEP in regards to the changes of the Treatment facility, and the changes are reflected in a one line diagram. Based on the diagram and their estimates the plant met the point system requirements 66 points to be rated as a grade 6 WWTP facility. Prior to this time, it was rated as a grade 5 during the week and grade 4 on the weekends. It's a higher level grade and what that means for us is two of our existing operators who have a grade 3 licenses now have to get at least a grade 5 and we are now working towards that. The operator on shift has to have at least one license level lower than the grade of the plant. In the meantime in order to fill the requirements for that, they are willing to give the town an emergency certification for the two individuals. They can now take the test as often as they want.

Allen asks Trombley to find out why the waiver can't be on a permanent basis, if it can be done on an emergency basis.

Trombley: There is no change in pay for a grade 6 license in the Town the way the licensing and contracts are. The only time under the current union contract and pay schedule that anybody gets an increase for license is when you go from being a laborer to a operator. We were required to get back to DEP with a facilities staffing report; that lists the current certification numbers and grades with the State. The next logical step for me is to re-estimate the required staffing of the facility now that we have a nice new diagram and the CSO controls and the press. As you recall, the history with staffing plays out prior to 1994 when we had a staff of 9. We went to a staff of 7 shortly after Strathmore shut down and when the asst. superintendent retired, they would not replace him, and when one of the truck drivers retired he would not be replaced either. In 1992 it was suggested we have 8.3 bodies. Now that the upgrades are complete, my estimate using the new guide is we end up with a total of 10.8 individuals. The state is not going to force the Town, but if we are in the position of violations on a regular basis they could come in and say this is what the staffing guidelines say and conduct an evaluation themselves.

Abbondanzio: These are all voluntary things we were lauded for being the only town doing this voluntarily, it doesn't seem right that they would come back and say by the way, now that you have done the right thing, you have to hire 4 more people, and raise your plant grade.

Discussion

**Frank Abbondanzio, Town Administrator**

**Appoint Representative to Regional Dog Kennel Oversight Committee, votes may be taken**

*Allen makes the motion to appoint Acting Chief Chris Williams as our member to the Regional Dog Kennel Program with Officer John Dempsey as the alternate. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother – Aye*

**Town Meeting Background Information**

Abbondanzio: The background information for the Annual Town Meeting is in your packet.

**Topics Not Anticipated Covered in the 48 hour Posting Requirement**

**Green Communities Grant Contract**

Abbondanzio: This is dealing with the clean energy center and the solarization of Mass. businesses. This is the program the Energy Committee and Walter were in talking to you about a month or so ago. We did get the grant for that and this is the contract to receive the grant funding.

*Allen makes the motion to authorize the Chair to sign the Green Communities Contract dated April 20, 2012 with the Massachusetts Clean Energy Center for the Solarize Mass. project. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye*

**Solarization Grant**

Abbondanzio: You need to appoint a review team to look at all the applications for the Solarization Grant.

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*Allen makes the motion to create the subcommittee to review the applicants for the Solarize Mass and appoint Sally Pick, Frank Abbondanzio and Walter Ramsey as individuals on this committee. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother – Aye*

**Other**

*Use of Peskeompskut Park: Lauren Clough, Montague Community Band,  
Allen makes the motion to approve the request for the use of Peskeompskut Park for the Montague Community Band with Lauren Clough as the applicant on June 25, July 9, July 23 and August 6 for the band shell and area around it, from 6:00 PM to 10:00 PM which includes set up and removal, and has been signed by the Police Chief. Fee to be waived. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye*

- Shredding event on the EDIC lawn on April 26

**Josh Goldman, Agreement with Mass. Div. of Fisheries and Wildlife and Town of Montague for future maintenance and/or removal of a replacement walking bridge in the Sawmill River Conservation Land**  
Agreement will be included with Town meeting handout, draft to be written on top. To be discussed at the next meeting.

Boutwell asks if there is a Railroad Salvage update. Abbondanzio replies that the current owner was trying to auction the building off. I mentioned to the auctioneer that he made sure he talked with David Jensen to find out what the obligations were of the current owner under the enforcement order and everything else.

Upcoming events given

*Allen makes the motion to adjourn the meeting at 7:45 PM. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye*