

SELECTMEN'S MEETING MINUTES
UPSTAIRS MEETING ROOM
MONDAY, April 30, 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 (absent); Chris Curtis, Greenfield Recorder; Jeff Tirrell, WHAI; Janel Knockleby, Montague Reporter

Fairbrother announces meeting is being taped

Minutes of April 17 and 23, 2012 not available

Announcement

Allen: Solarize Mass is moving along. Tomorrow, Sally Pick and I are both going to Boston so we can be trained. The installers are getting their applications ready to submit so eventually we will have an installer for the Town to use when installations are done for people in their homes or businesses. Sally will be in next week to give an update.

Airport Commission, Updates

Peter Golrick: We currently have 6 projects working with the FAA right now; 3 which we hope to close very soon, one that is going to take a bit longer and 2 that are still in the pipelines. FAA is trying to close two very old projects, one from the original runway design permitting project in 2004. We also have a native coordination project with Country Hill which is not in Montague, but in the flight path under what the FAA calls their part 77 rule. Most likely the hill will need to have a light put on it. Mickey will give you details on the construction project. We are closing in on that, the contractor has the punch list among the items have been tree clearing issues, across from Industrial Boulevard and down by the power lines which we are working with the Conservation Commission on. Working with Gale Associates on this and depending on how the bids come in, we can just go ahead and do the quotes and get that portion of the project done with project money and wrap that up on behalf of the contractor, if they are above that, we will have to go out to bid on the clearing.

Mickey Longo, Airport Manager: All the lights are functional, the beacon is active, and have had no complaints from anyone it really does assist the pilots. It hasn't received its final stamp because the project is still ongoing but that aspect of it looks pretty good. We are going to take the trees down at the end of the runway per FAA. The cement drywall bodies are ours and my understanding is they will be used for the infrastructure area on Hadley Grant Road (by the flying clubs gate 3), so eventually they will go in the ground for catch basins. They will be used in Phase II of the project.

Golrick: Because we lost so much time and ground on building the runway and parallel taxi way, in order to be able to close the project timely and keep it in dollars the FAA split it into 2 projects so phase I is what we are wrapping up now, which will leave us with one taxiway out of commission temporarily. That will go into phase II along with everything else that couldn't get done in order to make the project fit into the dollars. We were fighting a number of uphill battles on that; between Native American interests, contractor not doing what they were supposed to do and rising prices with fuel. The FAA and Mass. Aeronautics agreed to continue their current level of funding for everything they originally talked about doing, not just the original dollars. For their book keeping purposes, it needed to be split up into two projects. Along with that, we had some additional archeological work done and there were four areas of concern and the FAA has issued their first section 106 finding that we know of, that cleared two of those areas to say there are no adverse impact on those parts of the project and that is a trench from our new electrical vault out to the runway and a trench from the runway out to our lighted windsock. There were small artifacts found within a 20 foot radius of where we intended to put the rotating beacon down in the corner of the property down by the Tech School, the location of that rotating beacon is not critical in terms of how many feet, it just has to be in the general area. While they investigate the area we will get some test pits dug that will tell us where we can actually put that where it won't have any interference with anything, so we expect that to go fairly quickly. At the end of the taxi-way, there is a fairly large mound that may have been part of an earlier runway and taxiway improvements, but there are significant artifacts there that need to be investigated with a closer test pit area. The FAA's first choice is to avoid disturbing anything if we can and there are plans in place that will allow us to turn the taxiway several feet earlier than what it would have been giving us the clearance that we need and avoid disturbing any other areas. The project recently approved by Town meeting was for perimeter fencing around the back side of the airport property (by Heatfab and around edge of Tech School). This is a high priority for us.

Allen asks about Solar farms and how it impacts the town

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Longo: I sat with Walter and got his feedback and input on the projects and how they go and try not to reinvent the wheels as much as possible and make communication with other airports and receiving drafts and request for proposals. We have to abide by Chapter 30B and I'm trying to take advantage of whatever resources are out there right now.

Fairbrother: We really request that you sit down with the Energy Committee and get the benefit of their research.

Longo: I definitely will

Fairbrother: When you get to the point for proposals you need to include the Energy Committee. They have a sharp eye.

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

Goldman: This is a very simple agreement between the Mass. Div. of Fisheries and Wildlife and the Town to allow for the construction of a bridge by a volunteer group and to be funded by that group. Essentially the obligations of the Town under the agreement are just to ensure that the contractor who builds it has insurance, is responsible to indemnify the Division for activities related to the bridge. Planning to hire a contractor to build the bridge.

Allen: We are thinking it has to go to Town meeting before we can actually sign it. It is on the warrant for Town Meeting.

Allen makes the motion that the Town of Montague sign the License Agreement between the Division of Fisheries and Wildlife and the Town for the portions of the Montague Wildlife Management area known as the North Street parcel for the project known as foot bridge scanning the Sawmill River contingent upon Town Meeting signing off on their approval. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Discussion about area being mowed

Bergeron: Is there going to be any area down there cleared out by the State for parking?

Fairbrother: No

Bergeron: I receive several complaints a year about people parking down there and backing onto peoples lawns. I have now been requested by the residents to put no parking signs halfway up on North Street.

Goldman: One benefit of constructing the bridge is there is a lot of fallen trees from the fall snow storm and those will have to be cleared to get down there by the contractor. Right now it is semi impassable. They don't allow parking in front of the gate, but maybe if they did that it could accommodate maybe 3 or 4 cars.

Bergeron: That would be a big help.

Abbondanzio asks about disability issues

Goldman: That was a big concern for the state that it be ADA compliant because they had another situation where they built a bridge. The bridge is designed to be ADA compliant.

Thomas Memorial Golf and Country Club, Change of Manager for All Alcohol, Restaurant Liquor License, Burton White

Allen makes the motion to send on to ABCC a request to change the manager for Thomas Memorial Golf and Country Club from Pamela Tierney to Burton H. White effective today. Seconded by Fairbrother, approved unanimously. Allen – Aye, Fairbrother – Aye, Boutwell – Abstain

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Jeri Moran, Use of Public Property, Installation of little free Library on Avenue A, Turners,

Moran: Someone sent me an e-mail with a link to a website littlefreelibrary.org and I clicked on it and I said this is what I want to do. Basically it's a national idea, there are about 800 of them across the country right now. To me it is a cross between a doll house and bird feeder, but the one thing they have to be is water tight. They are put in different neighborhoods and I thought on Avenue A would be terrific in front of Nina's Nook in the planter. I'm a librarian so I have access to a lot of people with good books. Ultimately it is supposed to self sustaining that people will take a book and bring a book. I am willing to monitor it and stock it with books for at least the first 6 months to see how it goes. I spoke to the tree warden and we went to look at the sight and he said if I put it in a particular spot I could do it, but I needed to call dig safe and find out if it was going to bother anyone else. I did this and we found a spot. The design of it (picture shown) is brightly colored. Montague's library is in support of this. The purpose is to create more of a sense of community to have something on the streetscape in Turners Falls. People have been very generous with their donations.

Allen makes the motion to approve the request from Jeri Moran for the project "The Little Free Library" to place an object in the planter on Avenue A, opposite Nina's Nook and that would be a wooden box 20" x 14" x 28, approximately on a post in the garden plot and it would start June 2012 and go on indefinitely. It has been signed by the Police Chief, Dig Safe has been contacted as well as the Tree Warden. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Frank Abbondanzio, Town Administrator, votes may be taken

Disclosure of Free or Discounted Travel in Conjunction with IMN Conference

Allen makes the motion that the Board acknowledges the Town Administrators disclosure of free and/or discounted travel in conjunction with the IMN Conference and the work related benefits outweigh any private interests and allow Frank to accept the offer. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Sixth Street Rectory Donation Update

Abbondanzio: This is on the Special Town Meeting warrant and it deals with an offer of a donation of the Sixth Street Rectory building to the Town. I finally did get confirmation on that last week and I've been in ongoing discussions with a representative from the Mortgage Company. We got a purchase and sale agreement, we received copies of surveys they had done, they offered to give us their title search work, gave me some information on the costs of rehabbing based on what they were looking at. I'm gathering information and verifying whether the purchase and sale agreement is in the best interest of the Town, making sure we don't take possession of something and have hidden costs. I will be talking about that on Saturday.

Discussion about related costs that will have to be looked into

House Ways and Means Budget Update

Abbondanzio: The House passed their version of the budget and has protected the additional state aid that we were hoping we were going to see. There is also additional money, \$40 per student Chapter 70 for the school system, there is additional special ed money, circuit breakers that will help the school district. I think the news is good and reflects how the economy is starting to become more healthy. Haven't heard anything from the Senate.

Other

John Reynolds: Question on town meeting article on automobiles. Does that article require a public hearing prior to being passed in any way shape or form.

Abbondanzio: No. It's not zoning. I asked Town Counsel that and it just a by-law. Zoning by-laws you would have to go through the public hearings.

Reynolds: We have that criminal complaint that seems like a big jump for us

Abbondanzio: Actual it is not. You voted non criminalization in 1996 and it has been implemented in some cases, some of the police issue tickets, and I know the DPW issued tickets. We will start using it a lot more. The idea is if you have non-criminal fines that a person would be more likely to try and do that rather than go to court and have a record

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for criminal complaint. We would always leave that open for an option. This is a way to get people to comply, give them a ticket and be able to collect fines. You don't have to go through the route of court and paying for preparation time to lawyers and staff.

Reynolds: How will it be applied? Initiated by people in the neighborhood complaining about something or is it going to be someone who has to enforce this throughout the Town. Any individual or group of individuals? How is it going to be used?

Abbondanzio: It actually says in the by-law who the people are. I believe it is the police, the Health Director and Building Inspector and Board of Selectmen or its Designee.

Reynolds: Who pushes the button for those individuals to move?

Allen: I would think it would be them or some citizen calling and saying is this a violation or not.

Fairbrother: This will apply to everyone.

Railroad Salvage Building Update

Jensen: Mr. Bent claims he is coming back to do partial demolition; finish taking off the top two stories which will be about a year past his due date for doing it. I questioned him on his permit and approvals. As you know he owes taxes on the building and they are long enough to deny permits on the building. I had a discussion with Patty about it and both her and I to waive this. Mr. Bent has not asked for a waiver yet, but who knows. He has contacted an auction company in an attempt to auction off the building. I'm not familiar with the timing or any of that. Bent claims to have at least 2 very interested parties and up to 4. He claims to be waiting for a DEP permit which he filed for last Thursday, he says. I will be contacting DEP. Bent said when he gets his permit he will be here to take the top two floors off. That seems to be one of the preconditions for the auction, to get it to that point. We have not explored the finer details of what that means. What does that mean for the inside debris? Is he taking the floors in between or letting them drop? He will come to me after he gets DEP approval. Previous to this we've spoken about him having to pay the taxes and he says he can either pay the demolition people or the taxes, what do you want? It's not my choice but it seems like paying the taxes is an unnecessary component here. Bent should know about the permit within 15 days.

Allen: It seems like first finding out if he really has filed.

Jensen: With Frank's approval I talked with the Town's attorney about what our rights or obligations might be and if an auction is taking place. Right on the deed it says complying with the Town's order and it is clearly out of date. I do not know how he is structuring the auction. Douglas Galleries is supposed to be contacting me to see exactly what the orders were.

Abbondanzio: I forwarded Douglas Galleries to David when he called.

Jensen: I asked Atty. Corbo what we should do considering there is the potential change in ownership and he had some observations that are more in the order of strategic thinking on legal issues and I think would be beneficial in an executive session to discuss what he suggested.

Other

- Announcement made that the Shea Theater is looking for volunteers for the Valley Idol show.
- Committees are looking for volunteers

Allen makes the motion at 8:05 PM to go into executive session under M. G.L. c.30A, §21(a)(3) to discuss strategy with respect to U.E. Collective Bargaining, votes may be taken; only adjourning to end the meeting. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother – Aye

Allen makes the motion to adjourn the meeting at 8:30 PM. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother – Aye