

**SELECTMEN'S MEETING MINUTES  
UPSTAIRS MEETING ROOM  
1 AVENUE A, TURNERS FALLS, MA  
WEDNESDAY, March 20, 2013**

*Meeting was opened at 5:45 PM in the Upstairs Meeting Room. Present were Selectpersons Mark Fairbrother and Chris Boutwell, Patricia Allen was participating via remote participation; Town Administrator Frank Abbondanzio; Administrative Secretary Wendy Bogusz; Town Planner Walter Ramsey; Jeanne Golrick*

Meeting being taped

**Ms. Allen was participating via remote participation due to geographical distance.**

**Walter Ramsey, Town Planner**

**MA Division of Environmental Protection Consent Order ACOP-WE-13 6W002-NT for bank restoration on the Sawmill River at South Street.**

This is regarding work done by the DPW. The DPW had an Order of Condition from the Conservation Commission last summer to dredge material from underneath the Sawmill River Bridge at South Street. There's an ongoing problem there with sediment buildup. Mr. Bergeron got permission from the Conservation Commission to do the work using an excavator reaching over the bridge. The DPW exceeded what was allowed in that Order of Conditions and drove an excavator onto on to private property and stabilized about 50 feet of bank. The property owner filed a complaint with the Department of Environmental Protection and there is now a Consent Order for the DPW to rectify where they went above and beyond the Order of Conditions. Now we have 10 days to authorize this Consent Order which requires signatures from the board. The Order involves a withheld \$4,000 penalty which only gets paid if the DPW is not in compliance with the Consent Order within 2 years of when it is signed. The town also has 10 days to nominate a qualified consultant that can do ecological restoration. They consultant must be approved by DEP and then they have to do a restoration plan and the town will be held to implementing the restoration plan. We have until September 30, 2013 to complete the bank restoration. That has to be followed by two years of monitoring to ensure that the bank is performing as it should under the restoration plan.

Mr. Ramsey has approached some local firms with the scope of work and got 2 quotes with very different amounts. Mr. Ramsey received one quote from New England Environmental of \$13,100 and one quote from Lattrell Ecological Consulting of \$5,224. Both are qualified. Another item on the Consent Order is that the town has to secure a right of to do the work from the property owner. Mr. Ramsey has drafted a right of entry waiver.

Ms. Golrick asked which budget the money was coming out of. Mr. Fairbrother said we don't know at this point and we aren't particularly worried about that right now, since there will be other costs in doing the actual work.

*Mr. Fairbrother moved that the board approve and sign Consent Order between the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs Department of Environmental Protection and the Town of Montague, file number ACOP-WE-13 6W002-NT for bank restoration of the Sawmill River at South Street. Seconded by Ms. Allen. Approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye*

Ms. Allen gave permission to use her name stamp if her signature is needed.

**Upcoming Meetings**

The next regularly scheduled Selectmen's meeting will be held on Monday, March 25, 2013 at 7:00 PM at the Montague Town Hall, upstairs meeting room, 1 Avenue A, Turners Falls MA.

*Mr. Fairbrother makes the motion to adjourn the meeting at 6:00 PM. Seconded by Ms. Allen. Approved unanimously. Allen – Aye, Fairbrother – Aye, Boutwell- Aye*