

**SELECTMEN'S MEETING MINUTES
UPSTAIRS MEETING ROOM
1 AVENUE A, TURNERS FALLS, MA
TUESDAY, MAY 21, 2013**

Meeting was opened at 7:00 PM in the Upstairs Meeting Room. Present were Selectpersons Pat Allen, Chris Boutwell and Mark Fairbrother; Town Administrator Frank Abbondanzio; Town Accountant Carolyn Olsen; DPW Superintendent Thomas Bergeron; WPCF Superintendent Robert Trombley; Bruce Hunter from FRHRA; Patricia Pruitt from the Montague Reporter; Greg Garrison from the Northampton Cycling Club

Meeting being Taped

Reorganization of the Board of Selectmen

Mr. Fairbrother makes the motion to appoint Ms. Allen as Chair. Seconded by Mr. Boutwell. Approved. Allen – Abstained, Boutwell – Aye, Fairbrother - Aye

Mr. Boutwell makes the motion to appoint Mr. Fairbrother as Clerk for the coming year. Seconded by Ms. Allen. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Abstained

Minutes

Mr. Fairbrother moved that the board approve the minutes of the Selectmen's meeting on February 11, 2013. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Mr. Fairbrother moved that the board approve the minutes of the Selectmen's executive session on February 11, 2013. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye Mr.

Mr. Fairbrother moved that the board approve the minutes of the Selectmen's meeting on February 25, 2013. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Mr. Fairbrother moved that the board approve the minutes of the Selectmen's meeting on March 4, 2013. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Mr. Fairbrother moved that the board approve the minutes of the Selectmen's first executive session on March 4, 2013. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Mr. Fairbrother moved that the board approve the minutes of the Selectmen's second executive session on March 4, 2013. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Mr. Fairbrother moved that the board approve the minutes of the Selectmen's meeting on May 13, 2013. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Mr. Fairbrother moved that the board approve the minutes of the Selectmen's first executive session on May 13, 2013. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Mr. Fairbrother moved that the board approve the minutes of the Selectmen's second executive session on May 13, 2013. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Mr. Fairbrother moved that the board approve the minutes of the Selectmen's third executive session on May 13, 2013. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Approve Summer Schedule

The Selectmen will meet on June 3, June 10, June 24, July 8, July 22, August 5, August 19, and September 3. Regular weekly meetings will resume on September 9, 2013.

Mr. Fairbrother moved that the board approve the summer meeting schedule. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

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Millers Falls Road

Mr. Bergeron, Mr. Trombley, and Mr. Button from CDM updated the board on the status of the emergency sewer project. Proposals have gone out and we have received 4 quotes, with a recommendation from CDM to award the contract to Baltazar Construction of Ludlow, MA for a price not to exceed \$498,500 to replace 750 linier feet of 10" sewer pipe and related work. Balthazar was the lowest responsible bidder.

Mr. Fairbrother moved that the board award the contract for emergency sewer work on Millers Falls Road and Industrial Boulevard to Baltazar Construction of Ludlow, Massachusetts for a price not to exceed \$498,500, and authorize the chair to sign the contract. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Mr. Fairbrother moved that the board approve the Notice to Proceed to Baltazar Construction of Ludlow, Massachusetts for emergency sewer work for a price not to exceed \$498,500, and authorize the chair to sign. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Items Not Anticipated Within the 48 Hour Posting Period

The DPW and WPCF received heating oil bids through the Franklin Regional Council of Governments. The deadline for acceptance by the town is Friday, May 24, 2013.

Mr. Fairbrother moved that the board accept the Franklin Regional Council of Governments bid award for #2 fuel oil from A.R. Sandri at \$3.30 per gallon for Fiscal Year 2014. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

**Town Administrator's Report
Unity Park Phase Two Improvements**

Mr. Hunter said the base bid included crack filing and a 2" overlay for the basketball court. Once the contractor looked at it, it was recommended to remove the existing basketball court at Unity Park and reconstruct it. This process should provide about 20 years of use. There is currently just over \$24,000 left for contingencies.

Mr. Fairbrother moved that the board approve and sign Change Order #1 between the Town of Montague and Diversified Construction Services LLC to remove and replace with 2 coat paving the existing Unity Park Basketball Court for the amount of \$7,063.07. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Civil Service

Mr. Fairbrother moved that the board approve the Civil Service Requisition (Form 13) for a Police Sergeant Exam using an Assessment Center and authorize the Chair to sign. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Use of Public Property – Cycling Race

The FCTS has given permission to use their parking lot for staging. 20-40 participants are expected, the Police Chief has approved the application, and there will be an Outside Detail police officer present.

Mr. Fairbrother moved that the board approve the Northampton Cycling Club's Use of Public Property request for Cycling Criterium to be held on Industrial Boulevard on May 22, May 29, June 5, June 12, and June 19 from 5:00 PM to 8:00 PM . Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Use of Public Property – Memorial Day Parade

Mr. Fairbrother moved that the board issue permits for Use of Public Property and Public Demonstration to the Soldiers Memorial Trustee's for a Memorial Day Parade to be held on Monday, May 27, 2013 from 9:00 AM to

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12:00 PM starting at 2nd Street and going down Avenue A to Veterans' Park where a ceremony will be held, with waiver of the fee. The Police Chief has approved the request. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Invitations

The Soldiers Memorial Trustees invited the Board of Selectmen to join them for the Memorial Day Ceremony at Veterans' Park at 10:15 AM on Monday, May 27, 2013.

Turners Falls High School Principal Patricia Gardner invited the Board of Selectmen to Awards Night on Thursday, May 30, 2013 at 7:00 PM and Graduation on Friday, May 31, 2013 at 6:30 PM. An RSVP is requested by May 24th.

Use of Public Property – Memorial Day

Mr. Fairbrother moved that the board approve Montague Center Firemen's Association's Use of Public Property request for a Memorial Day Observance to be held on Sunday, May 26, 2013 from 9:00 AM to 12:00 PM at the Montague Center Common, with waiver of the fee. The Police Chief has approved the request. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Montague Historical Commission

Janel Nockleby has submitted a request to be appointed to the Montague Historical Commission.

Mr. Fairbrother moved that the board appoint Janel Nockleby to the Montague Historical Commission with a term of May 22, 2013 through June 30, 2013. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Election Warrants

*Mr. Fairbrother moved that the board sign the warrant for the special election for the State Senate on June 25, 2013 at Precincts 1 through 6 at their usual locations from 7:00 AM to 8:00 PM for:
Senator in Congress ... for this Commonwealth.*

Mr. Boutwell seconded. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

*Mr. Fairbrother moved that the board sign the warrant for the special election for the Board of Selectmen on June 25, 2013 at Precincts 1 through 6 at their usual locations from 7:00 AM to 8:00 PM for:
Selectman ... for one year*

Mr. Boutwell seconded. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Upcoming Meetings

The next regularly scheduled Board of Selectmen's meeting is Monday, June 3, 2013 at 7 PM in the upstairs meeting room of the Town Hall at 1 Avenue A, Turners Falls, MA.

There will be a public debate with the two candidates for Selectmen on May 30, 2013 from 6:00 PM to 8:30PM in the upstairs meeting room of the Town Hall at 1 Avenue A, Turners Falls, MA.

Executive Sessions

Mr. Fairbrother moved that the Selectmen enter Executive Session under G. L. Chapter 30A, Section 21 (a)(3) to discuss strategy with respect to collective bargaining – involving on-going contract negotiations with town unions. Votes may be taken. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Mr. Fairbrother moved that the Selectmen enter Executive Session under G. L. Chapter 30A, Section 21 (a)(3) to discuss strategy with respect to litigation in the case of Averill v. Olive Street Development, Western Housing Court

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No.12-CV-1172. Votes may be taken. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

The Chair declares that discussion of these matters in open session would have a detrimental effect on the town's negotiating position.

The Selectmen will only come out of executive session to adjourn.

Mr. Fairbrother makes the motion to adjourn the meeting at 8:45 PM. Seconded by Mr. Boutwell. Approved. Allen – Aye, Boutwell – Aye, Fairbrother - Aye