

**SELECTMEN'S MEETING MINUTES
UPSTAIRS MEETING ROOM
1 AVENUE A, TURNERS FALLS, MA
MONDAY, September 16, 2013**

Meeting was opened at 7:00 PM in the Upstairs Meeting Room. Present were Selectpersons, Mark Fairbrother, Chris Boutwell, Mike Nelson; Town Administrator, Frank Abbondanzio; Administrative Secretary, Wendy Bogusz;

Meeting being Taped

Approve minutes of August 19, August 26 and September 9, 2013 if available

Minutes tabled as the Selectmen did not have time to review.

Bill Goldfarb, Lefty's Brewing Company, Request for one day liquor license on September 22, 2013 at Unity Park

Nelson makes the motion to approve the one day liquor license on September 22, 2013 to Lefty's Brewing Company, from 10:00 AM to 6:00 PM, the Police Chief has signed off on it and certificate of insurance is on file. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother - Aye

Tom Bergeron, DPW Superintendent, Request for DPW Foreman to bring work truck home on a daily basis

Discussion about whether or not it is beneficial for employee to bring truck home on a daily basis. Employee must pay \$3/per day for this use. There have been an increase in calls and this would make employees job easier.

Employee lives in Northfield

Boutwell makes the motion to allow the DPW foreman to bring the truck home during winter months while pagers are out, if bad or mild winter issue to be revisited. Truck not to be used for anything else, November 1 to April 1 in accordance with parking ban or when pagers are removed which ever comes sooner. Seconded by Nelson, approved. Boutwell – Aye, Nelson – Aye, Fairbrother – Abstains

Chip Dodge, Police Chief, Execute Franklin County Law Enforcement Mutual Aid Agreement

Dodge: I'm here tonight to request the Boards permission to enter into a Mutual Aid Agreement with our surrounding communities. We've been encouraged by DA's office to enter into agreement. This makes sign off on allowing me to enter into mutual aid agreement with our surrounding communities. For a long time we have been encouraged by the DA's office and other departments to enter into a Mutual Aid Agreements with the Towns. These agreements make our cases tighter and take out a lot of technicalities. The Chiefs Associations have been working on finding a way to stop losing cases because an officer was 10' into another jurisdiction or on the other side of a bridge when they tried to stop a car. I am asking the Board to sign off on allowing me to enter into a mutual aid agreement with all of our surrounding towns. The goal of the Chiefs association is that each county will set up their own mutual aid agreements that will expand to the entire state. If we accomplish what the Chiefs Association wants to do, we will have a mutual aid agreement with every city and town in the Commonwealth. Examples given. This is a Franklin County Agreement and almost every other police department have their own agreement. We are just joining on what is already done. This is an at will thing, if we are able to go we will, we are not obligated to go. This is basically just to cover us if we are over the line on a car stop, if we are at the hospital, if we are at court, things like that. If we aren't on duty, we don't want to put ourselves in that situation because you are stuck with it.

Ms. Golrick asks questions: Can mutual aid be given if this agreement is not signed? Dodge responds the only way mutual aid can be given without signing the agreement is when you are requested by the commanding officer of another jurisdiction requests your help. Not signing this doesn't prohibit your giving mutual aid if asked by the CPO of another place? Dodge: Correct. Greenfield said moves of Sheriffs if for them to become the civil officers and the local men in blue in every town are going to be the criminal officers that is the move happening state wide; is that true? Dodge: I think what you are referring to is civil process; trespass notices, eviction notices, things like that. My civil is motor vehicle infractions and traffic tickets; there has never been any agreement that I'm aware of where the police are doing one thing and the sheriffs are doing another. The sheriffs are handling civil process. How do you think you will have time to do this? Dodge responds that we can leave at any time. We would not be going if we were busy here. Are there constitutional issues with this? Dodge: No. Golrick: This is totally statutorily and legal? Yes. Golrick: Do we have to pay any money? Dodge: No, not any extra. Golrick would like this posted somewhere so the public can read the document.

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Boutwell makes the motion to approve the Franklin County Law Enforcement Mutual Aid Agreement as presented by Chief Dodge and to revisit this again by or after June 30, 2014. Seconded by Nelson, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Nelson - Aye

Christopher Menegoni, CVB Harvest, LLC, Votes may be taken

Use of Public Property: Portion of Third Street Parking lot on 10/19/13

Nelson recuses himself from the rest of the meeting as coordinator of Pumpkinfest

Boutwell makes the motion to allow Christopher Menegoni CVB Harvest, LLC to use a portion of the parking lot on Third Street on October 19, 2013 from noon to 10:00 PM to use a portion of rear of old VFW parking lot for outside activity. Seconded by Fairbrother, approved. Boutwell – Aye, Fairbrother – Aye, Nelson -Recused

One Day Beer and Wine License on October 19, 2013

To be discussed next week by Element Brewing Company

Michael S. Longo, Airport Manager, Votes may be taken

Execute Grant Assurances between Turners Falls Municipal Airport and MassDOT

To be discussed next week as no one from the Airport was present

Personnel Board, Jay Talbot, Sullivan & Hayes

Execute Agreement between Town of Montague and the Officers of the Town of Montague IBPO, Tentative Agreement dated September 6, 2013

Talbot: We do have an agreement that has been ratified with the IBPO, includes implementation of wage study in year 1 and % increases of 1 and 1 in years 2 and 3, there is also clarification the Town Accountant wanted with respect to outside details talking about time and a half, and talking about non unit personnel and some language changes to clean house. This agreement allows changes after the fact. If you recall with IBPO the result of the JLMC the last time around left us with a wage scale that had 4% jumps in it. This wage study, but everything back to normal. They have ratified and it before you for your consideration.

Boutwell makes the motion the Board approve and execute the agreement between the Town of Montague and the Police Officers of the Town of Montague IBPO dated September 6, 2013 . Seconded by Fairbrother, Nelson Abstained. Boutwell – Aye, Fairbrother – Aye, Nelson - Abstain

Frank Abbondanzio, Town Administrator's Report, votes may be taken

Planning Board petition to initiate a zoning amendment for the regulation of Registered Marijuana Dispensaries (RMD's)

Abbondanzio reads letter from Planning Board into the record

Boutwell makes the motion the Board send back to the Planning Board that we petition them to initiate a Zoning Amendment for the regulation of Registered Marijuana Dispensary's within the Town of Montague. Seconded by Fairbrother, Approved unanimously. Boutwell –Aye, Fairbrother – Aye, Nelson - Aye

Topics not anticipated covered in the 48 hour posting requirement

Reynolds would like to see call in still allowed at the next pre town meeting even though no one called in. He also asks about call in during the Selectmen's meeting. Fairbrother responds that he thinks it would be very inefficient. Golrick asks if someone was to come in half hour before meeting and wrote questions down, would that work? Fairbrother wants nothing to do with it and Boutwell responds he needs to think about it.

Reynolds asks if everyone has agreed to the new job descriptions. Abbondanzio responds that they were given to Department Heads for review. Since that is a key item in pay scales, I would hope that you make sure everyone is happy with their job descriptions. Abbondanzio states people have had plenty of opportunity to review the job descriptions.

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Jay Talbot: That's a subject to negotiations because it directly effects the pay scale.

Executive Session under G.L. c 30A, Section 21 (a)(3) to discuss strategy with respect to Collective Bargaining – involving on-going contract negotiations with town unions U.E. and TOMEA

Boutwell makes the motion at 8:30 PM to go into executive session under Mass. G.L. c 30A, Section 21 (a)(3) to discuss strategy with respect to Collective Bargaining – involving on-going contract negotiations with town unions U.E. and TOMEA and leave executive session only to adjourn the meeting. Seconded by Nelson, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Nelson - Aye

Fairbrother makes the motion to adjourn the meeting at 9:13 PM. Seconded by Boutwell, approved unanimously.
Boutwell – Aye, Fairbrother – Aye, Nelson - Aye