

**SELECTMEN'S MEETING MINUTES  
UPSTAIRS MEETING ROOM  
1 AVENUE A, TURNERS FALLS, MA  
MONDAY, August 25, 2014**

*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; Executive Assistant Wendy Bogusz (absent); Rich Becker; Barry Scott; Brian Dolan; Parks and Recreation Director Jon Dobosz; Patricia Pruitt; Jeanne Golrick; Lisa Adams; Robert Adams; WPCF Superintendent Bob Trombley; Jeff Singleton; Jason Hunter; John Reynolds; Peter Hamlin from Signature Sounds; DPW Superintendent Tom Bergeron; Katherine R Maleno from St. Andrews Episcopal Church*

Meeting being reopened from earlier 6:30 Executive Session

Meeting being Taped

**Approve Minutes of June 30**

Mr. Fairbrother asked for the approval to be held until some changes can be made.

**Skate Park Proposal**

- Mr. Scott stated that the biggest issue with opening any skateboard park is liability insurance. He is asking for the same proposal that existed with the prior skate park. They are looking for the town to provide space for people to gather and skate prior to a permanent skate park. Mr. Scott has opened a skate shop within Mr. Becker's business just to have a place for kids to gather.
- Richard Becker requested a tax abatement for the public use of his space. Mr. Scott would be looking after the area, keeping it clean and monitoring the use and users.
- Mr. Abbondanzio stated that he believes they would be working off the prior lease agreement. A termination date is needed. In terms of a tax abatement, the Assessors are okay with the idea with the Town side, but Mr. Becker also needs to speak with the Turners Fall Fire District Prudential Committee regarding fire district taxes.
- The Town could probably cover the space under its insurance, provided that conditions are met. These are treating the space as open and unsupervised, making sure the fence is locked after hours, and having a sign telling about the hazards.
- The Recreation Commission needs to review this at their next meeting regarding locking and unlocking the site. The Police don't think it's feasible for them to be responsible for locking the gate at night. If the agreement is similar to the past, there are unlikely to be any issues.
- Mr. Abbondanzio stated that Mr. Scott needs to stay on top of ramp maintenance.
- Mr. Dolan stated that to be protected under the California law, you just have to stay under the threshold of gross negligence. They are on top of things.
- Mr. Dolan stated, on behalf of the Skate Park Committee, that this is a good idea, and that having the ability for kids to gather and skate prior to the completion of the new Skate Park is an incubator. To produce a core group of kids who will value the equipment they're given and establish a positive culture in the Park.
- Mr. Dolan is also asking that they be allowed to have the DPW pick up the trash from the cans.
- Everything should be signed and sealed prior to beginning any skating.
- Mr. Singleton asked what the legal basis of a tax abatement would be. The basis is that the town would be leasing part of the property for municipal purposes, and the lease payment is received instead of taxes.

**1 Day Liquor License**

Jason Hunter, representing the Berkshire Brewing Co., is requesting a 1 day Liquor License for a music concert at the Shea Theater from 7:00 PM to 11:00 PM on September 26, 2014. The Police Chief has signed off on the request, and all insurance requirements have been met.

*Nelson makes the motion to approve a 1 day Liquor License to the Shea Theater to have Berkshire Brewing Company come in for the period of 7:00 PM to 11:00 PM on September 26, 2014 for the purpose of providing beer for patrons. Insurance and TIP certification has been provide. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Nelson – Aye*

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**Sewer Rate Discussion**

Mr. Trombley presented information on the sewer rate process, prior year use of retained earnings, and the use of retained earnings needed to support various rate options.

- For Fiscal Year 2015, Mr. Trombley is targeting a 3.7% increase, which involves the use of retained earnings.
- There is no guarantee of retained earnings being available each year to be used to reduce sewer rates. This recommendation of a increase is made partially because if we have a year with little or no retained earnings, the sewer rates could jump between 10% and 20% in a single year. This potential increase can be mitigated by small annual increases in the rates.
- Mr. Abbondanzio added that the Capital Improvements Committee is starting to work on the development of a WPCF Capital Stabilization Fund. There will be an article on the fall Special Town Meeting to create this fund and move some retained earnings into the fund. The intent is to improve long-term financial planning.
- Ms. Golrick asked what Mr. Trombley's intentions were for future rate increases. Mr. Trombley replied that he proposes annual small increases to avoid a potential major increase in a year where there are low retained earnings.
- Mr. Abbondanzio said that, given the demands of debt service and future capital needs and future rate increase requests of only 3-4%, still being able to maintain a stabilization fund is a tribute to the WPCF. They've not had a single load of sludge leave the facility in the last year and saved a great deal of money. This savings offsets the increases in debt service due to capital expenses to replace aging equipment.
- Mr. Boutwell suggested that septage fees be increased by one dollar so that everyone has an increase.
- Mr. Singleton asked if, rather than the current process, why not just put a flat surcharge on the sewer rates for future capital items. Mr. Trombley noted that some towns have a depreciation fund. Annual depreciation expenses are appropriated into this fund, which is then available to replace equipment and fund other capital items. Mr. Abbondanzio added that in Massachusetts, the proposed Capital Stabilization Fund is the method to achieve this.

**Personnel Board**

Water Pollution Control Facility Superintendent Robert Trombley is requesting approval to hire Gregory Fisher as a seasonal employee at \$10 per hour for 40 hours a week for 10 weeks beginning August 12, 2014.

*Nelson makes the motion to appoint Gregory Fisher as a seasonal laborer at the WPCF effective August 12, 2014 for approximately 12 weeks at an hourly rate of \$10, working 40 hours per week. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Nelson – Aye*

Mr. Fairbrother asked that the Selectboard set a policy that nobody start work until appointed by the Selectboard.

DPW Superintendent Tom Bergeron requesting approval to hire David Finn as Shop Foreman at Grade E, Step 1, \$20.51 per hour, effective August 26, 2014. Mr. Finn has been an employee for a couple of years, and Mr. Bergeron would like to have Mr. Finn fill the vacancy created by the retirement of Steven Lively. If Mr. Finn is appointed to the Shop Foreman position, Mr. Bergeron will then advertise for a new Lead Mechanic.

*Nelson makes the motion to appoint David Finn as Shop Foreman effective August 26, 2014 at Grade E, Step 1, \$20.51 per hour. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Nelson – Aye*

**Franklin County Regional Housing and Redevelopment Authority (FCRHRA)**

A budget amendment for the CDBG Fiscal Year 2012 rehabilitation project requires the signature of Mr. Boutwell. The amendment will authorize the FCRHRA to transfer \$673 from the grant back into the Montague HRRLF. This is the final financial cleanup for this grant year.

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*Nelson makes the motion to transfer \$673 from the Montague Fiscal Year 2012 CDBG grant to the Montague HRRLF. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Nelson – Aye*

Mr. Boutwell's signature is also needed on a letter accepting the Fiscal Year 2012 CDBG's final quarterly report.

*Fairbrother makes the motion to authorize Mr. Boutwell to sign the closeout letter to Patricia Dervan of the Department of Housing and Community Development. Seconded by Nelson, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Nelson – Aye*

The agreement between the Town and the FCRHDA for administration and implementation of the Fiscal Year 2014 CDBG grant was tabled as the grant award has not been received.

**Use of Public Property**

St. Andrews Episcopal Church is requesting use of the Town Hall parking lot on September 13, 2014 from 8:00 AM to 1:00 PM for collection of used electronic equipment and household appliances for recycling. Police Chief Dodge has signed off on the request.

- St. Andrews would like to sponsor an e-cycling day.
- Ms. Maleno noted that computer hard drives are pulled and shredded.
- A donation of \$10 per item will be requested.
- Proceeds will go to the Brick House for Youth.
- Insurance documentation was provided. The Town of Montague needs to be listed as an additional insured. Ms. Maleno will take care of that.

*Nelson makes the motion approve use of the Town Hall parking lot for the collection of used electronic equipment to St. Andrews Episcopal Church on Saturday, September 13, 2014 from 8:00 AM to 1:00 PM for the purpose of collecting used electronic equipment and small household appliances for recycling. The Police Chief has signed off on the application. Contingent upon receiving the completed insurance certificate. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Nelson – Aye*

**Town Administrator's Report**

**New Site for Regional Dog Kennel**

This is a follow-up to a vote at the previous meeting to accept a grant application that would provide funding for construction of a road and other infrastructure at the proposed Industrial Park site.

- At that meeting, the Town Planner pointed out that a road at the proposed location would ultimately be in the pathway of the proposed kennel location down the road.
- The Board of Selectmen did grant the Sheriff the right to remain at the current location until December 2015.
- Mr. Abbondanzio feels it's important for the Selectboard to make a commitment to continue working with the Sheriff's Department to facilitate the future relocation of that facility, possibly in Montague.
- With that idea in mind, the Town Planner provided a preliminary report on locations where it may be feasible to construct a dog shelter with a 1,500 square foot capacity. The potential locations are:
  1. The public safety facility, either in the rear or adjacent to the public parking lot. There may be additional spaces in the adjacent 23 acre lot. This location needs to be discussed with the Police Department for site security reasons.
  2. The burn dump could accommodate a shelter after capping, although there will be timing issues.
  3. Building Seven in the Strathmore complex has areas that could be used with the addition of water to the complex, and water and electricity run through the complex to the building. However, repairs would be needed, sewer is not available, and this site would not be permanent if the town is successful in transferring the mill to another agency.
- Mr. Abbondanzio recommends the site adjacent to the public safety facility.

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*Nelson makes the motion that the Town Planner and Town Administrator continue meeting with the necessary parties to find a new location for the Franklin County Regional Dog Shelter and report back to the board within the next 60 days. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Nelson – Aye*

Mr. Fairbrother noted that we've all known that the new road going would be going through the current dog shelter location for several years. Mr. Fairbrother was kind of disturbed by the announcement at the last meeting. First of all, he did not know a grant application was coming. Secondly he was disturbed by Mr. Ramsey's announcement that the project was a fast track project and the construction could begin next spring. The Board should have been informed sooner. When Mr. Fairbrother asked Mr. Ramsey if he'd been in contact with the Sheriff office about the location of the pound, it was clear he had not. Mr. Fairbrother thought the board made it clear last spring when this project was discussed that they wanted communication and obviously that didn't happen. The motion needs to make it clear that the board is aggressively in favor of this project. Mr. Fairbrother also said he was in favor of the location being the old burn dump, and that he feels the outreach to DEP for approval should be aggressive.

**Shea Theater Lease**

Mr. Abbondanzio provided an update on the lease, RFP and planning process he plans to initiate.

- Mr. Abbondanzio is working on an interim lease that will extend the current agreement, essentially unchanged to go through December 31, 2015.
- An appraiser has been hired and is working on an appraisal of the ten year lease to determine if it exceeds the \$35,000 threshold under MGL Chapter 30B, which would trigger a requirement for a Request for Proposal.
- The town has posted a notice on the website soliciting letters of interest from anyone wanting to serve on the Civic Center Commission. The town has received 3 letters so far.
- Mr. Abbondanzio has initiated contact with Debra D'Anthony, former Executive Director of the Shea Theater, to see if she is willing to facilitate a process that would bring everyone involved in the process into the tent to talk about the Shea and what they want to happen with the Shea, and then make recommendations. Mr. Abbondanzio will try to have this paid from a Peer to Peer Grant.
- Mr. Nelson suggested putting something in the newspaper to solicit letters of interest from interested parties so that everyone who may want to participate will be able to do so from the beginning.

Mr. Fairbrother asked that all letters of interest be forwarded to board members as they arrive, and that Ms. D'Anthony's findings and recommendations also be forwarded to board members when received.

*Fairbrother makes the motion that as soon as appropriate criteria and any other conditions are in hand, that this board will issue a Request for Proposal for the future running of the Shea. Seconded by Nelson, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Nelson – Aye*

**Canal Drawdown**

The service outage will take place from Monday, September 29, 2014 through Saturday, October 4, 2014. The canal will be drained at 7:00 AM on the 29<sup>th</sup>, and will remain so until the 4<sup>th</sup>.

**Election Warrant**

*Fairbrother makes the motion that the board approve the election warrant for November 4, 2014 as follows:*

*Seconded by Nelson, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Nelson – Aye*

**Regional Hazardous Waste Collection**

The Hazardous Waste Collection Day is scheduled for Saturday, September 20, 2014 at the GCC Main Campus and the Orange Transfer Station. Pre-registration is required by September 12<sup>th</sup>. The Franklin County Solid Waste District can be contacted for additional information.

**Landfill Monitoring Agreement**

This is an annual agreement for monitoring the landfill and the burn dump. The agreement is with Tighe & Bond, and the \$12,700 has been appropriated in the DPW Budget.

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*Nelson makes the motion to approve the landfill monitoring agreement with Tighe & Bond for an estimated cost of \$12,700, starting August 25, 2014 and ending August 25, 2015 . Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Nelson – Aye*

**Millers Fall Commercial Homesteading**

The town received two proposals a week ago today, which are now turned over to the staff review team and they hope to have a recommendation to the board by the next meeting.

Ms. Golrick presented some handouts that had already been given to staff.

**Topics not anticipated within the 48 hour posting requirement**

- Mr. Boutwell received a notice from MCTV Station Manager Dean Garvin today that MCTV recorder Tim Lindop passed away. Mr. Fairbrother read the following statement into the record:

We, the Board of Selectmen, wish to express our sadness and sense of loss at the passing of Tim Lindop this past Saturday, August 23, 2014. We'd grown accustomed to his presence at the controls and his efforts to keep us on cue. While working at MCTV Tim faithfully recorded numerous meetings of town government and other events in the community. Tim worked hard to bring this community together by using his well-honed video production skills to encourage citizens of all ages to tell their stories. The board would like to recognize Tim for the energy and creativity he put into his work at MCTV, and our heartfelt condolences go out to his wife, family and friends.

- Mr. Nelson asked Mr. Abbondanzio for updates on the following projects.
  - Chestnut Hill Betterment Zone – Mr. Ramsey has had discussions with the consultant who is working with the Town of Leverett. It looks like there is a plan falling into place that would involve that particular entity possibly constructing the infrastructure and recovering costs from the users. But there's also a gap in financing that either the Town would have to fund or possibly a portion of the grant funding that the state has recently appropriated could be programmed to make that project on Chestnut Hill happen. Hopefully the project can be funded without having to set up a betterment zone.
  - Strathmore – Mr. Abbondanzio said the town has put in a water line across the pedestrian bridge for providing water to the plant. Employees from the WPCF have been working to clean up and rehabilitate the existing pump station. We're still working on getting paper out of there. We've gotten an estimate from Allied Waste on the cost to remove and dispose of the remaining paper. We're still working on getting a bid on the roof of the stair tower. Mr. Nelson asked that the issue of the Strathmore building be put on the next agenda for further discussion
  - MCTV RFP – Mr. Fairbrother said the CAC is having one more meeting, and then they will be drafting a recommendation.
  - Old Cumberland Farms Building – There have been no responses to that RFP.
  - Montague Center School Building – The project is still alive, and the information needed to make a final determination should be available by the middle of next month.

*Nelson makes the motion to adjourn at 9:05 PM. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Nelson – Aye*