

**SELECTMEN'S MEETING AGENDA  
UPSTAIRS MEETING ROOM  
1 AVENUE A, TURNERS FALLS, MA  
MONDAY, September 8, 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 ; Patricia Pruitt; Jeanne Golrick; Lisa Adams; Robert Adams; Jeff Singleton; Jason Hunter; John Reynolds; DPW Superintendent Tom Bergeron; RiverCulture Coordinator Suzanne LoManto, FCRHRA Director of Community Development MJ Adams; Town Planner and Conservation Agent Walter Ramsey; Police Chief Chip Dodge;*

**Meeting Being Taped:**

No minutes are available for approval.

**Personnel Board, Hire Joshua Bassett as DPW Truck Driver/Laborer, 40 hrs/wk, Grade 3, Step 3, \$15.01/hr, effective 9/22/14**

*Nelson makes the motion to hire Joshua Bassett as DPW Truck Driver/Laborer, effective September 22, 2014, for 40 hours a week at UE Grade 3, Step 3, \$15.01/hr. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother - Aye*

**Jon Dobosz, Director of Parks & Recreation, Installation of new swings at Highland Park**

Two new swings will be installed at Highland Park on September 27, 2014 with the assistance of the Franklin County Technical School football team. Mr. Dobosz also announced that the ball fields at Unity Park were recently accepted, and the fencing has come down.

**Suzanne LoManto, RiverCulture**

**Registration for Assembly, Pubic Demonstration, or Use of Public Property: 9/18/14**

**Hang 6 colored lights in the trees in front of the Shea Theater, 7 – 10 PM.** Chief Dodge has signed off on the request and insurance coverage has been documented.

*Nelson makes the motion to allow permission to Turners Falls RiverCulture to hang 6 colored lights in the trees in front of the Shea Theater for the Monthly Third Thursday event on September 18, 2014 from 7 – 10 PM. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother - Aye*

**Set up 10' x 10' EZ up on sidewalk Avenue A between 3<sup>rd</sup> and 4<sup>th</sup> Street, 5:00 – 7:30 PM**

Ms. LoManto is requesting permission to set up 2 tents. One will be used to serve Polish food in honor of Polish immigrants. The second tent would be for the use of a jewelry vendor. Chief Dodge has signed off on the request.

*Nelson makes the motion to approve setting up 2 10' x 10' EZ ups on the sidewalk on Avenue A between 3<sup>rd</sup> and 4<sup>th</sup> Street, 5:00 PM to 7:30 PM on September 18, 2014 for the purpose of the Third Thursday event sponsored by RiverCulture, signed off by Chief Dodge with a reminder to keep an area clear for people in wheelchairs, the Board of Health has issued a certificate and the insurance is covered by the Town. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother - Aye*

**Art Installation to be hung in Spinner Park between 9/18 – 9/21**

A woman named Anne-Marie Smith-Dupre has moved to town and she would like to do an art installation honoring the women who worked in the factories. Knowing that most women worked making cutlery, she plans to create up to 400 cloth forks, knives, and spoons that she would like to hang with safety pins from a 9-foot line suspended between 2 light posts in Spinner Park. The installation would go up for the Third Thursday event and run through the weekend. The Police Chief has signed off.

*Nelson makes the motion to approve an art installation hung up between two town-owned light posts in Spinner Park from September 18, 2014 through Sept' 21, 2014 for the Third Thursday history event to Turners Falls River Culture. The Police Chief has signed off on it and it's covered by town insurance. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother – Aye*

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**MJ Adams, FCRHRA Director of Community Development**

**Execute FY2014 CDBG Standard Contract Form in the amount of \$823,626**

The approved activities of the grant include housing rehabilitation, streetscape improvements to Avenue A that include the bump out at Avenue A and Third St., some planning for street lights to be installed down Avenue A, and the continuation of the early literacy program through the Social Catholic Ministry. There is a standard special condition of the grant award that the housing rehabilitation program work collaboratively with Community Action on the weatherization program. Once the Selectmen approve the grant award, the paper work goes back to the state for approval. Next week Ms. Adams will be coming back with the contract for the grant to be administered by the FCRHRA.

*Nelson makes the motion to authorize the Board to sign the Fiscal Year 2014 CDBG Standard Contract Form in the amount of \$823,626. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother – Aye*

**Senior Center Planning Study**

The review committee reviewed both proposals received and is recommending that the award for the Senior Center Planning study be given to Catlin & Petrovick, PC in the amount of \$60,000.

*Nelson makes the motion to accept the recommendation of Catlin & Petrovick, PC in the amount of \$60,000 for the Senior Center Planning Study. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother – Aye*

**Walter Ramsey, Town Planner and Conservation Agent**

**Establish Senior Center Planning Committee**

Mr. Ramsey presented a list of eleven people interested in being on the planning committee. All but one precinct is represented. The purpose of the committee is to plan a Senior Center that proves quality of life for seniors of today and of tomorrow. Their first task is to guide the implementation of the senior center planning study which includes identifying a location for the senior center and developing a site master plan. Future tasks would involve implementation as the plan moves along.

*Nelson makes the motion to establish a Senior Center Planning Committee made up of the following members: Beverly Demars, Louise Deren, Elsie Gilman, Debra Bourbeau, , Barbara Kuklewicz, Anna Viadiero, Etta Walitis, Frank Abbondanzio, John Murphy, Roberta Potter, Walter Ramsey, and as additional support MJ Adams, and Sally Pick. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother – Aye*

**Proposal to rename segment of Greenfield Road between Turners Falls Road and Pan-Am Railroad to Old Greenfield Road**

In anticipation of several DOT projects that are scheduled to take place over the coming years, the Planning Department has initiated a discussion on renaming the section of Greenfield Road south of the railroad tracks. It's generally best practice to rename one of the segments if a road will be permanently bisected. Mr. Ramsey proposes renaming the southern section as Old Greenfield Road. House numbers will not change. Feedback on proposed renaming was solicited from residents and public safety professionals. Of the 29 property owners on the segment, 10 responded. Five property owners did not want a change, one was undecided and four supported a change. Public safety professionals widely supported the change, as did the DPW Superintendent. Old Greenfield Road was the most popular of the suggested names. Renaming the road can be a legitimate inconvenience to the property owners, however it's crucial that public safety professionals as well as individuals unfamiliar with the area be able to navigate local streets without confusion or delay. Mr. Ramsey requests that the Board of Selectmen direct appropriate town staff to formally initiate renaming of that southern section of Greenfield Road to Old Greenfield Road., to be brought to Town Meeting for approval in accordance with our town meeting bylaw.

*Nelson makes the motion to rename the segment of Greenfield Road between Turners Falls Road and Pan-Am Railroad to Old Greenfield Road and to authorize the relevant Town Hall officials to begin the process of doing so, with the final say to come from the Annual Town Meeting. Seconded by Fairbrother*

Mr. Fairbrother proposed not voting on the issue tonight, rescheduling the decision for September 23, 2014, and contacting the FRCOG in the meantime, and come back in two weeks with their input.

Nelson rescinds his motion and Fairbrother rescinds his second.

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**Award Contract in the amount of \$26,500 for environmental engineering services for the Millers Falls Road Drainage and Soil Stabilization project to Weston & Sampson Engineers, Inc.**

This is for the FEMA grant that the town received. The particular spot in the road had some more washout. This contract is for the permitting and design for the work. Weston and Sampson was the low bidder of the two bids received for the project. The grant provides 80% reimbursement, so the cost to the town will be \$5,300.

*Nelson makes the motion to award a contract in the amount of \$26,500 to Weston & Sampson Engineers, Inc. for environmental engineering services for the Millers Falls Road Drainage and Soil Stabilization project. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother - Aye*

**Judith Weinthaler, Co-Chair Franklin County Diaper Coalition, Request for participation in the National Diaper Need Awareness Week by issuing a proclamation**

Ms. Weinthaler is requesting participation in a national diaper needs awareness week by issuing a proclamation. Two coalitions have been discussing having a diaper drive for two years. There is a tremendous need for diapers in low income households. Basic items like diapers and detergents can have a major impact on these families. The goal is to increase community awareness of this tremendous need. There is a National Diaper Drive Awareness Week and Ms. Weinthaler is looking for support from the Selectmen as community leaders.

*Fairbrother makes the motion to approve the following proclamation:  
The Board of Selectmen's Official Statement:*

*Whereas diaper need, the condition of not having a sufficient supply of clean diapers to ensure that infants and toddlers are clean, health and dry, can adversely affect the health and welfare of infants, toddlers, and their families, and*

*Whereas national surveys report that one in three mothers is experiencing diaper need at some time while their children are less than three years of age and 48% of families delay changing a diaper to extend their supply, and*

*Whereas the average infant or toddler requires an average of 50 diaper changes a week over three years, and*

*Whereas diapers cannot be bought with food stamps or WIC vouchers, therefore obtaining a sufficient supply of diapers can cause economic hardship to families, and*

*Whereas a supply of disposable diapers is generally an eligibility requirement for infant and toddler to participate in childcare programs and quality early educational programs, and*

*Whereas the people of Montague recognize that addressing diaper need can lead to economic opportunity for the state's low income families and can lead to improved health for families and their communities, and*

*Whereas Montague's proud to be home to various community organizations that recognize the importance of diapers in helping provide economic stability in families and distribute diapers for families through various channels now therefore we, the Board of Selectmen of the Town of Montague, do hereby proclaim the week of September 8 through September 14, 2014 as Diaper Need Awareness Week in the Town of Montague and do encourage the citizens of Montague to donate generously to diaper drives and those organizations that distribute diapers to families in need to help alleviate diaper need in Montague and environs.*

*Seconded by Nelson, approved by majority. Boutwell – Aye, Fairbrother – Aye, Nelson - Nay*

**Chip Dodge, Police Chief, Request to place Graffiti By-Law on next Special Town Meeting**

Chief Dodge is requesting the board to support the establishment of a graffiti bylaw, by approving the article to be placed on the next Special Town Meeting warrant. Officer Seven, the community policing officer, has been noticing the graffiti in town and doing his best to remove it, and as a result has proposed this bylaw. Other towns' bylaws have been used as a starting point and amended to reflect the particular needs of Montague. The bylaw has three parts. The first deals with the

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requirement for the building owner to remove any graffiti. The second is a fine for anyone under 17 years of age found in possession of spray paint. The third prohibits the sale of spray paint to anyone under 17 years of age.

*Fairbrother makes the motion to endorse and submit to next town meeting, special or annual, for their consideration, the current version of the graffiti by law as proposed. Seconded by Nelson, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother - Aye*

**Town Administrators Report**

**Tent Permit Fee**

Hilltown Tents is requesting that the \$20 tent permit fee for Peskeomskut Park be waived for the Pumpkinfest.

*Fairbrother makes the motion to waive the \$20 tent fee for the Pumpkinfest  
Seconded by Boutwell. Approved majority, Boutwell – Aye, Fairbrother – Aye, Nelson - Abstained*

**Appointments**

The Franklin Regional Council of Governments has requested that the board review appointments to both the Franklin Regional Planning Board (FRPB), for one year, and a three year term on the Greater Franklin County Comprehensive Economic Development Strategy Committee (CEDS Committee). Robert Obear is currently appointed to the FRPB, and Walter Ramsey is currently appointed to the CEDS Committee.

*Fairbrother makes the motion to reappoint Bob Obear to the Franklin Regional Planning Board until June 30, 2015.  
Seconded by Nelson, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother - Aye*

*Nelson makes the motion to reappoint Walter Ramsey to the FCCEDSC Committee for a 3 year term. Seconded by  
Fairbrother, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother - Aye*

**Authorize Payment No. 3 to Baltazar Contractors, Inc., Millers Falls Road Sanitary Sewer Replacement: Phase 1, \$55,913.06 (pending Town Counsel approval)**

On advice of counsel, the town is withholding 1% of the final payment, so the amount to be approved for payment is \$55,363.93. The withholding is being done because there may be litigation down the road, and the remaining balance due allows the town to say that the project has not been completed.

*Nelson makes the motion to authorize payment #3 to Baltazar Contractors, Inc. in the amount of \$55,353.93. Seconded by  
Fairbrother, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother - Aye*

**Authorize Payment No. 2 to Baltazar Contractors, Inc., Millers Falls Road Sanitary Sewer Replacement: Phase II, \$123,071.50 (pending Town Counsel approval)**

*Nelson makes the motion to Authorize Payment No. 2 for \$123,071.50, to Baltazar Contractors, Inc. for Phase II work.  
Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother - Aye*

**Commercial Homesteading Program**

This item refers to the Millers Falls Commercial Homesteading Program, and will be a vote to accept the developer's proposal and to move on to the next step in the commercial homesteading process. On July 16th, the Town of Montague published a Request for Proposals for the town-owned properties located on East Main Street and Bridge Street in Millers Falls. The parcels that were included in the RFP were Assessors Map 29, lots 176, 116, 177, 179, 178 and 181. On August 18, the town received two proposals. One was from Robert Obear, Jr. of Obear Construction Company. The second proposal was from Richard Widmer, of Beijing, China. The town took the proposals under advisement for review, evaluation and recommendation by the staff review team comprised of Mr. Abbondanzio, the Town Planner, and the Town Building Inspector. The Widmer proposal did not meet the minimum requirements of the RFP, and was rejected by the Town Administrator acting as the Chief Procurement Officer. After review, interviews, and analysis, the recommendation of the review team is that the Board of Selectmen vote to accept the proposal submitted by Obear Construction Company as the proposal most beneficial to the town, and further, to authorize the review team to negotiate two documents- a real estate agreement and a land development agreement. Once these agreements are completed they will be brought back before the

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board for approval. These final agreements will fine-tune and expand the concepts that have been presented in the RPF proposals.

*Fairbrother moves that the Board accept the proposal submitted by Obear Construction Company as the proposal most beneficial to the Town and further authorize the review team to negotiate for two documents, the real estate agreement and the land development agreement, and once these agreements are completed bring them before the Selectboard for its final approval. Seconded by Nelson, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother - Aye*

**Greivances**

Ms. Golrick stated that when she went to the bid opening for this last round of RFPs, she was told in public meeting, and another person was there, that this wasn't really a bid opening, and when she asked the names of the parties involved, she was refused the information and told that (Mr. Abbondanzio interjected that this was not true) it was a staff meeting and not an open meeting, and staff were going to conclude it so it didn't have to be told. Ms. Golrick further stated that she had it on tape (Mr. Abbonanzio interjected that this was illegal).

Ms. Golrick stated that there was no deed from the town, and stated that, in this Commonwealth, deeds don't seem to count. And if the town makes a deed based on false affidavits that its Tax Collector and lawyer put on, then there will be a lot of public opinion that will be noted.

Ms. Golrick presented two grievances she is filing tonight.

Mr. Fairbrother stated for the record that after a long, played-out struggle, the town owns those properties completely, despite comments to the contrary that the public may have. Mr. Fairbrother then stated that Mr. Abbondanzio had been attacked and asked if he wanted to respond. Mr. Abbondanzio responded that, at the meeting only he, Ms. Golrick, Mr. Ramsey, and Mr. Jensen were present. When he opened the envelope he said that two bids had been submitted, one from Obear Construction and one from Widmer Construction, we will now take them before the review committee and evaluate those proposals. And that's what we did.

**Executive Session under G.L. c.30A, §21 (a)(6) to consider the purchase, exchange or lease of real property:  
Hatchery Road, Montague, Votes may be taken**

Boutwell: We have an Executive Session under G.L. c.30A, §21 (a)(6) to consider the purchase, exchange or lease of real property: Hatchery Road, Montague, Votes may be taken and I declare holding this in an open meeting could be detrimental to the Towns position.

*Nelson makes the motion to enter into Executive Session pursuant to G.L. c.30A, §21 (a)(6) for the purpose of discussing the Hatchery Road relocation project which involves the purchase, exchange or lease of real property because discussing the matter in open session may have a detrimental effect on the Towns negotiating position. We will leave Executive Session only to adjourn our regular meeting. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Nelson - Aye.*

The next regularly scheduled Selectmen's Meeting will be held on **Monday, September 15, 2014** at 7:00 p.m. at the Montague Town Hall, 1 Avenue A, Turners Falls, MA