

**SELECTMEN'S MEETING
UPSTAIRS MEETING ROOM
1 AVENUE A, TURNERS FALLS, MA
MONDAY, November 18, 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

Meeting Being Taped:

Votes May Be Taken:

Approve minutes of November 10, 2014 if available

Fairbrother makes the motion to accept the minutes of November 10, 2014. Seconded by Nelson, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Nelson – Aye

Public Comment Period: Individuals will be limited to two (2) minutes each and the Board of Selectmen will strictly adhere to time allotted for public comment.

J. Golrick comments on Pumpkinfest lawsuit and asks if the BOS plan to discuss this at a future meeting, response is No.

Suzanne LoManto, Director Turners Falls RiverCulture, It's a Wonderful Night

Use of Public Property, Spinner Park, Install "Wishbox" 11/19/14 to 12/29/14

Fairbrother makes the motion to grant a permit for use of public property to Suzanne LoManto, Director Turners Falls RiverCulture for use of Spinner Park 11/19/14 to 12/29/14 to install a "wishbox on a post in one of the two planters. Seconded by Nelson, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Nelson – Aye.

Use of Public Property, Avenue A and Third Street, 12/12/14, 4:00 PM to 10:00 PM

Up to 100 luminaries' decorating Avenue A and Third Street, Four Street Musicians to entertain people shopping and dining, Visit by Santa at Spinner Park, 6:15 to 7:00 PM

Nelson makes the motion to approve use of public property to Suzanne LoManto, Turners Falls RiverCulture, for the It's a Wonderful Night event on Friday, December 12, 2014 from 4:00 PM to 10:00 PM the purpose to have four street musicians to entertain shoppers, a visit by Santa Clause from 6:15 to 7:00 PM and up to 100 luminaries decorating Avenue A and Third Street, the Police Chief has signed off on this and it is covered by the Town's insurance. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Fairbrother – Aye, Nelson - Aye

It is requested she check with the Fire Chief about the event

Dan Kramer, Element Brewing Company, 30 Bridge Street, Millers Falls, 1 Day Beer & Wine License, Anniversary Party, 12/13/14, 12:00 PM to 11:00 PM

Fairbrother makes the motion to approve the 1 day special beer and wine license to Dan Kramer, Element Brewing Company, at 30 Bridge Street, Millers Falls for their Anniversary Party on December 13, 2014, up to 90 people are expected to attend, from 12:00 PM to 11:00 PM including permit fee of \$30.00, the Police Chief has signed off and the insurance has been received. Seconded by Nelson, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother - Aye

Entertainment Permit, Anniversary Party, 12/13/14, 12:00 to 11:00 PM

Nelson makes the motion to approve the entertainment permit to Element Brewing Company, 30 Bridge Street, Millers Falls on December 13, 2014 from 12:00 PM to 11:00 PM, fee of \$50.00. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother – Aye

J. Golrick expresses concern about the 11:00 PM closing time as people have to get up early on Sunday. Fairbrother stated that 11:00 PM closing on a Saturday night was perfectly reasonable.

Special Town Meeting

Discussion and vote to approve petition for Governor's Bill to obtain ratification of the actions taken at the October 29, 2014 Special Town Meeting, Gregg Corbo, Kopelman & Paige

Corbo asks if everyone has had a chance to look at draft of letter regarding the Special Act and gives explanation of what happened regarding posting of town meeting. We went forward with the Town meeting acknowledging the error, the Moderator asked for a vote of the meeting to see if the members wanted to go forward and they did, but I

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recommend we seek what is called a Governors Bill to obtain a special act to ratify the meeting. This is commonly done in this type of circumstance and what it does is it protects the Town so you have legislative authorization for all the things that were done at the meeting and if there is ever any question you point to the special act and everything will be fine.

Fairbrother makes the motion to authorize Town Counsel to work with the Town Clerk to finalize the letter regarding Governors bill to obtain a Special Act to be signed outside of the meeting and authorize Frank to contact the Towns Legislative delegation, State Senator and State Representative, to obtain their assistance in presenting the matter to the Governor. Seconded by Nelson, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother - Aye

J. Golrick wants to see copy of letter added to the minutes

Corbo: There was an open meeting law complaint on November 4, 2014 which claims the Board of Selectmen with full knowledge and intent pursued a Special Town meeting without proper posting this process is designed to correct the deficiencies. In regard to the open meeting law itself, the Attorney General does not have any jurisdiction over any aspect of Town Meeting.

J. Golrick objects to whole line of reasoning

Chip Dodge, Police Chief

Vote to accept agreement with Jody Rattigan regarding her dog named Diamond Marie

- Chief Dodge presented a copy of the proposed agreement (attached) and explained the contents that he and Ms. Rattigan had agreed to include.
- Issues: Chief Dodge indicated that every item except the insurance provision was acceptable and workable. Ms. Rattigan indicated that she was unable to get her insurance company to write the \$100,000 liability policy referenced in the agreement. She felt that her business insurance would cover such claims, but no evidence could be produced substantiating that clause.
- Ms. Rattigan's landlord was also unwilling or unable to provide such coverage.
- Chief Dodge expressed concern that the Town would not prevail in its case before District Court.
- Attorney Greg Corbo advised the Board to run the agreement by Town Counsel before agreeing to it, and to get the necessary hold harmless and indemnification and other appropriate language added to it before bringing the agreement back to the Selectmen for signature.

Nelson makes the motion to authorize the Chief to continue to work with Jody Rattigan to develop a term of agreement on the seven points and come back before the board next week. Seconded by Fairbrother approved unanimously. Boutwell Aye, Fairbrother – Aye, Nelson – Aye

Personnel Board, Change pay of Per diem Dispatchers per Town Meeting of 10/29/14

Almaida Aviles, \$13.78/hr to \$19.00/hr, effective 11/17/14

Nelson makes the motion to approve the pay raise for Almaida Aviles as a per diem dispatcher in the Police Department from \$13.78/hr to \$19.00/hr effective 11/17/14. Seconded by Fairbrother approved unanimously. Boutwell – Aye, Fairbrother – Aye, Nelson – Aye

Jesse Sinclair, \$15.00/hr to \$19.00/hr, effective 11/17/14

Nelson makes the motion to approve the pay raise for Jesse Sinclair as a per diem dispatcher in the Police Department from \$15.00/hr to \$19.00/hr effective 11/17/14. Boutwell – Aye, Fairbrother – Aye, Nelson – Aye

Danielle Marie, \$15.00/hr to \$17.00/hr, effective 11/17/14

Nelson makes the motion to approve the pay raise for Danielle Marie as a per diem dispatcher in the Police Department from \$15.00/hr to \$17.00/hr effective 11/17/14. Boutwell – Aye, Fairbrother – Aye, Nelson – Aye

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**Rodney Madison, Madison on the Avenue, 104 Avenue A, Turners Falls
Presentation from Police Chief regarding Licensing, Building and Health Inspections, Produce proper
business Documentation establishing the business**

- The Board of Selectmen took action on 4 items relating to Rodney Madison's business located at 104 Avenue A, Turners Falls. These include: a permit to place objects in front of his store on the sidewalk; a permit to place objects in the planter; a permit to place a sandwich board advertising his business at the corner of Avenue A and Third Street.
- Several issues were raised in relation to the permits being requested. Did Mr. Madison have a license to operate his business? *Mr. Madison produced evidence that he had both a Town and State business license.* Did Mr. Madison have adequate insurance coverage? *Mr. Madison produced an insurance certificate.* Was the business location adequately served with electricity? *Mr. Dodge indicated that he has satisfied that the business now had electricity.* *Mr. Madison confirmed that the Town electrical inspector had required certain things to be done and that the requirements had been met.*
- Mr. Madison expressed concern about comments made the prior week about his business not being licensed. He felt that these comments may have discouraged people from patronizing his store. He asked the Board to affirm that his business was in fact a licensed business.

Use of Public Property at 104 Avenue A: Place items in front of store on the sidewalk 4' 8" x 22' extended from the building

Nelson makes the motion to allow use of public property at 104 Avenue A to place items in front of the store on the sidewalk protruding 4' 8" going 22 feet length of building, insurance is included, with the understanding should any item be damaged by DPW the Town will be held harmless. Seconded by Fairbrother. Approved. Nelson – Aye, Boutwell – Aye, Fairbrother – Nay (not voting for something that has already happened)

Use of Public Property at 104 Avenue A: Sandwich Board Sign 3-1/2' x 2-1/2'

Nelson makes the motion to use public property at 104 Avenue A to place a sandwich board sign 3-1/2' x 2-1/2' on the public side walk year round, being relocated during inclement weather, sign to come inside when business is closed, with the understanding should any item be damaged by DPW the Town will be held harmless. Seconded by Fairbrother, approved unanimously. Boutwell – Aye Seconded by Fairbrother approved. Boutwell – Aye, Nelson – Aye, Fairbrother – Aye

Use of Planter in front of 104 Avenue A

There was some discussion about the role of the Streetscape Committee in the approval of permits to place objects in the planters. It was acknowledged that that planter guidelines brought before the Selectmen in October 2013 were never formally approved and there was no follow up to make the minor last changes that are needed. Mr. Abbondanzio urged the Board to accept the guidelines, as is, at their next meeting, as they include regulations that protect town interests. The Selectmen chose to make their decision about the planter, without a reference to the guidelines.

Nelson makes the motion to allow use of the planter in front of 104 Avenue A to Rodney Madison for decorating, insurance is attached. Should any item be damaged by DPW the Town will be held harmless. Seconded by Fairbrother, approved. Boutwell – Aye, Nelson – Aye, Fairbrother – Nay because items already in the planter.

Mr. Nelson would like to see the Planter guidelines brought back before the board after the first of the year

Nelson and Boutwell both state they feel Madison on the Avenue is a legitimate business. Fairbrother feels it is their opinion and he cannot comment as he does not know what the qualifications are for a legal business

**MJ Adams, Director of Community Development, FCRHRA
Sign FY2012 Community Development Block Grants Final Quarterly Report**

Nelson makes the motion to authorize Chair to sign the document to Ms. Patricia Dervan regarding the FY2012 Community Development Block Grants Final Quarterly Report. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother – Aye

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FY2014 Special Conditions Letter to Patricia Dervan

Nelson makes the motion to authorize Chair to sign FY2014 special conditions letter to Patricia Dervan. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother - Aye

Authorize to Disburse #2 to Catlin & Petrovick, \$7,800

Nelson makes the motion to authorize disbursement #2 to Catlin & Petrovck in the amount o f \$7800, invoice #2014003-2. Seconded by Fairbrother approved unanimously. Boutwell – Aye, Fairbrother – Aye, Nelson - Aye

Open Meeting Law

Discussion and possible vote to acknowledge and authorize Town Counsel to respond to an Open Meeting Law complaint received on November 4, 2014, relating to Special Town Meeting. Executive session (pursuant to G.L. c. 30A, s. 21(a)(1)) and public session expected.

Corbo: This is not a matter subject to Open meeting law or within the jurisdiction of the Attorney General complaint process.

Fairbrother makes the motion to acknowledge the Open Meeting Law complaint received on November 4, 2014, relating to Special Town Meeting and authorize Town Counsel to respond to the complaint. Seconded by Nelson, approved unanimously. Boutwell – aye, Fairbrother – Aye, Nelson - Aye

Boutwell makes the determination that holding these in open session will be detrimental to the public good position

Fairbrother makes the motion to go into executive session to discuss four open meeting law complaints received on October 20, 2014 and October 27, 2014, relating to the Cable Advisory Committee and two open meeting law complaints received on October 20, 2014, relating to the preparation and release of Board of Selectmen open and executive session minutes pursuant to G.L. c. 30A, s. 21(a)(1)), to return to open session

Jason Burbank makes the motion to go into executive session to discuss four open meeting law complaints received on October 20, 2014 and October 27, 2014, relating to the Cable Advisory Committee pursuant to G.L. c. 30A, s. 21(a)(1)), to return to open session. Seconded by John McNamera. Reynolds – Aye, Burbank – Aye, McNamera - Aye



**FRANKLIN COUNTY REGIONAL HOUSING &
REDEVELOPMENT AUTHORITY**

42 Canal Road • Turners Falls, MA 01376
Telephone: (413) 863-9781 • Facsimile: (413) 863-2989

November 13, 2014

Ms. Patricia Dervan
Program Representative
Department of Housing and Community Development
100 Cambridge Street – Suite 300
Boston, MA 02114

Re: FY 2014 Montague
Special Conditions

Dear Ms. Dervan,

On behalf of the Town of Montague, the Franklin County Regional Housing & Redevelopment Authority (HRA) is submitting for your review the following:

- Weatherization Program statement, brochure and release form

If you have any questions, please do not hesitate to contact me at (413) 863-9781, extension 144, or via email at mjadams@fcrhra.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'MJ Adams', is written over a horizontal line.

MJ Adams
Director of Community Development

Cc: Montague Board of Selectmen

Enclosures

Rental Assistance • Housing Development • Housing Management • Community Development
Municipal Assistance • Rehab Financing • Homeownership • Public Infrastructure

Equal Housing Opportunity

Income Guidelines
Gross Annual Household
Income before Taxes

<u>No. Of People</u>	<u>Income Limit</u>
1	\$32,065
2	\$41,932
3	\$51,798
4	\$61,664
5	\$71,530
6	\$81,396
7	\$83,246
8	\$85,096
9	\$86,946
10	\$88,796
11	\$90,646
12	\$92,496
13	\$94,346
14	\$96,196
15	\$98,046
16	\$99,896
17	\$101,746

To Contact Us

Mail:

Fuel Assistance Program
Community Action
P.O. Box 1432
Greenfield, MA 01302

Telephone:

From Franklin Co.
413-774-2310

From Hampshire Co.
1-800-370-0940

Fax:413-772-2733

Website:

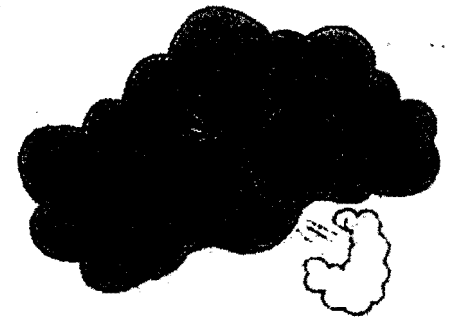
www.communityaction.us

Franklin/Hampshire

FUEL

ASSISTANCE

PROGRAM



Community Action
Serving Franklin and Hampshire
Co.

A United Way of Franklin County
Partner Agency

Fuel Assistance Program

Community Action

Serving Franklin and Hampshire Co.

HOW IT WORKS:

The Massachusetts Fuel Assistance Program helps needy families by paying a portion of their heating bills from November 1 to April 30.

If you are a Massachusetts resident living on a low or fixed income, we encourage you to apply.

WHO SHOULD APPLY?

- Renters and homeowners who pay for their own heat
- Renters whose heat is included in their rent. (Those who have a housing subsidy must not receive a utility allowance)

WHO IS ELIGIBLE:

Eligibility is based on the number of people in your household and the combined gross (before taxes) income of all persons residing in the household

Use the chart on the other side of this pamphlet to see if you may qualify.

WHERE AND HOW DO I APPLY?

We cover Franklin and Hampshire Co. We have interview sites in Greenfield, Northampton, Ware and Orange

All appointments must be made through our main office by calling:

From Franklin Co.: 413-774-2310
From Hampshire Co.: 1-800-370-0940

If you are a first time program applicant, you must apply in person. If you applied the previous year, you will receive your application by mail and will not need to apply in person.

If you are homebound, call us for help in filing an application.

WHAT WILL I NEED TO PROVIDE WHEN APPLYING:

For the person who is applying, bring:

- Social Security Number
- Proof of identity (picture ID)
- Proof of address
- Homeowners: mortgage statement, real estate tax bill, homeowners insurance bill
- Renters: copy of the lease
Subsidy verification
- Heating bill
- Electric bill
- All income for the four weeks before the appointment

For all other household members, bring:

- Social Security Number
- Dates of birth
- All income for the four weeks before the appointment

Income includes: wages, self employment, TAFDC, EAEDC, Social Security, SSI, child support, alimony, dividends and interest on bank accounts, rental income, unemployment benefits, pensions, cash prizes and regular support from family and friends; plus any other income you receive.

Additional information may be needed to complete your application.

TO RECEIVE FUEL PAYMENTS:

When you become eligible for fuel assistance, we will notify your vendor of your award amount. Your vendor will bill us directly for usage during November 1st to April 30th. You do not need to send ANY bills in. If you either move or leave your home during the winter months you must notify us immediately.

OTHER BENEFITS:

When you become eligible for Fuel Assistance, you may possibly also become eligible for additional help:

- Discounts on some electric and gas utility rates
- A discount on your telephone bill, depending on your type of service
- Weatherization
- Heating system repairs or emergency replacement, if you are a homeowner.