

**SELECTMEN'S MEETING
UPSTAIRS MEETING ROOM
1 AVENUE A, TURNERS FALLS, MA
MONDAY, June 29, 2015**

Meeting was opened at 7:00 PM in the Upstairs Meeting Room. Present were Selectpersons, Chris Boutwell, Mike Nelson; Rich Kuklewicz, Town Administrator, Frank Abbondanzio , Executive Assistant, Wendy Bogusz (absent)

Approve minutes of June 1 and 15, 2015

Kuklewicz makes the motion to approve the minutes of June 1, 2015. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Minutes of June 15, 2015 not approved at this time.

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:

Rodney Madison: Wants to inform the public that since the tragedy in South Carolina there have been 7 church bombings. Education starts in our schools, not saying our schools are racists, generally latino and black teachers are not hired. I have an appt. to meet with the Superintendent on Wednesday and we will discuss not having teachers that represent our population.

Bill Goldfarb, Lefty's Brewing Company

1 Day Beer & Wine License, Upper Valley Music Festival, July 25, 2015 10:00 AM to 1:00 AM

Kuklewicz makes the motion to approve the request by Lefty's Brewing Company for a 1 Day Beer & Wine License at the Shea Theater for the Upper Valley Music Festival on July 25, 2015 10:00 AM to 1:00 AM. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Greg Garrison, Northampton Annual Cycling Criterium Race, Use of Public Property: Montague Industrial Park, 7/1, 8, 15, 22, 29, 2015 from 5:00 PM to 8:00 PM

Kuklewicz makes the motion to approve the request by the Northampton Cycling Club to allow use of the Montague Industrial Park on July 1, 8, 15, 22, and 29, 2015 from 5:00 PM to 8:00 PM. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Bob Trombley, WPCF Superintendent, Pump Station Project:

Execution of the Subordination, Non-Disturbance and Attornment Agreement

Trombley: Part of easement work we have been doing. In order to clear title, had to get bank who has lien on property off the title.

Kuklewicz makes the motion to sign the subordination agreement with First Light. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Baltazar Pay Requisition #1 \$71,941.45

Kuklewicz makes the motion to pay requisition #1 to Baltazar in the amount of \$71,941.45. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

State Revolving Loan Requisition #1, \$118,674.08

Kuklewicz makes the motion to approve the State Revolving Loan Requisition, #1 in the amount of \$118,674.08. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Status of Pump Station

Trombley: The project is moving along, target is September for First Street, October for Poplar Street. Poplar Street, all electrical poles will be replaced by the Electric Company.

Personnel – Summer Help, Zachary Wright, 40 hours per week, \$10/per hour, effective 6/22/15

Kuklewicz makes the motion to hire Zachary Wright for summer help, 40 hours per week, \$10/per hour, effective 6/22/15. Seconded by Nelson, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

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Bruce Hunter, FCRHA

Sign Authorization to disburse #6, Invoice #20140039, for the Senior Center Planning Study, \$9,225.00

Kuklewicz makes the motion to sign the Authorization to disburse #6, Invoice #20140039 for the Senior Center Planning Study in the amount of \$9,225.00. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson – Aye

Sign Contract Agreement and issue Notice to Proceed with Mountain View Landscapes and Lawncare, Inc., for Avenue A Streetscape Enhancement Project. \$396,550.00

Kuklewicz makes the motion to approve the contract with Mountain View Landscapes and Lawncare, Inc., in the amount of \$396,550.00 for the Avenue A Streetscape Enhancement Project. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Kuklewicz makes the motion to sign the Notice to proceed with Mountain View Landscapes and Lawncare, Inc. for the Avenue A Streetscape Enhancement Project. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Hunter gives update on Senior Center Planning Study. Discussion about different locations being considered which have been discussed at a previous meeting.

Noise Hearing, Hubie's Tavern and Restaurant

Hear complaints in violation of Hubie's Entertainment License, MGL Chapter 140, Section 183-A and the Town's Noise Ordinance. *Boutwell recuses himself from the hearing*

Nelson: The purpose of this hearing is to discuss complaints received at the Police Dept, Board of Health Office and in the Selectmen's Office. I've met with Mr. Hubert and personally discussed ways to mediate the issues. There are two things happening, we have an up and coming downtown and at the end of the day it is also a residential neighborhood and residents need to be able to sleep.

Dodge: We did some research to see what complaints we had. Starting on May 23 we received a call, May 30 two calls, June 6 one call, June 13 two calls. One call was at 11:00, others were between 7:30 – 9:30. All calls came from the same house, but different people. No further calls since 6/13.

Hubert: It's rained last two Saturdays. Last thing I want to be is a bother to you and wasting your resources. I want to do anything I can to disturb as few people as possible. When I bought the tavern I saw this as an opportunity to benefit the Town. The events we have had has drawn 1,000 of people. I went and bought a sound meter and have been monitoring what has been coming from my business. (examples given of different times he tested the decibel levels) Complaints have been coming from about 200 yards away from my building. Current entertainment license is for 9:00 AM to 1:00 AM

Kuklewicz: Clearly there has been noise considered excessive by many residents. We can't go back in time, we can go forward. Mr. Hubert realizes there is noise challenge, not sure how feasible it will be to get noise levels. Seems like this could be a challenge getting a band in a slightly populated area.

Abbondanzio gives a quick update on the history

Hubert: Has some friends helping him source a PA system so he can control the sound himself. The idea is to provide entertainment; it doesn't have to be loud to be good. I want to be a good neighbor and generate money for my business. Bands are booked every weekend now through September, and there is also other events scheduled for special events.

Variety of discussions regarding, 4 hours is a long time to listen to the music, PA doesn't work when you have drums

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Kuklewicz doesn't know if we can reach the balance with the bands outside, we need to look and see what other towns have for rules in their entertainment district. Feels its going to be difficult, but would like to see his business thrive.

Hubert feels he can live within the regulations adopted by the Town in 2011.

Kuklewicz: Doesn't want to set you up for failure, but wants things to change for the neighborhood. Wants time frame on Noise ordinance followed. Current ordinance is geared toward music indoors. We need to address music outdoors.

Neighbors main complaint is to keep the volume down, they like what he's doing.

Detmold appreciates the owners attitude and effort to work with neighbors. Wants downtown to thrive, and people choose to live downtown. Hopes something can be worked out to satisfy people living next door and the business owners. People need to know neighbors and businesses need to work together.

Kuklewicz makes the motion to enforce the noise ordinance with the following change on the table: 7:00 AM to 3:59 PM 70 decibels, 4:00 PM to 9:59 PM 80 decibels, 10:00 PM to 12:59 AM 70 decibels and 1:00 AM to 6:59 AM 60 decibels and the according increase of 10 for the dBC. This will be for a trial period of 14 days, and Mr. Hubert will be invited back to the next meeting to review the success and see if the ordinance will be in force as is or if some discussion needs to be made regarding outside noise level and if we need a table II possibly. Seconded by Nelson. Approved. Nelson – Aye, Kuklewicz – Aye, Boutwell - Abstained

Chief Chip Dodge and Personnel Board

Increase Reserve Officer Todd Michon's hourly pay to \$17.00/hour effective 7/1/15

Boutwell makes the motion to approve the requested change for Todd Michon's hourly pay effective July 1, 2015 from \$16.00 per hour to \$17.00 per hour. Seconded by Kuklewicz, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Christopher Menegoni, CVB Harvest, LLC

One day Beer and Wine License, Upper Valley Music Festival, July 25, 2015, 11:00 AM to 12:00 AM

Kuklewicz makes the motion to approve the request by CVB Harvest, LLC at 107 Avenue A from 11:00 AM to 12:00 AM on July 25, 2015 for one day beer and wine license for the Upper Valley Music Festival. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Kevin Hart, Broadband Committee

Last Mile Project Update

Hart: Last in front of you in April, we were looking to go to Town meeting where we did a no vote due to the fact a week before the meeting we found out there were an additional 45 houses that were unserved. On top of that, Town Counsel informed us we needed to get a municipal plant license. As disappointing as it was, it was a good thing, because the state finalized the procedure which will be procuring broadband to the 11 unserved Towns which Montague is a part of. They just released a RFQ and I know of two companies that are responding to that and we will have 4 options to build out the unserved areas. As of right now MBI has money set aside from a bond bill and \$5 million goes to cable served towns; Montague is 204 of those households; it would be roughly \$600,000 for Montague. Technically, Comcast could come in and bid to build out the rest of the Towns. RFQ released last week then 3-4 week process and they will work with the Town to see what's best. The Town is going to have a significant amount of say what is going to be done. There is a process that needs to be put in place, in order for fibers to be put on poles the poles need to be considered make ready which is a 6 – 9 month process. WE would like to submit a letter on behalf of broadband committee to the Board of Selectmen to the Mass. Broadband in writing what our intentions are that we do want a fiber to the home solutions versus they extend Comcast on the state dollar. It would behoove the town to solve this problem once and for all. Need to be on the next special town meeting.

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Discussion

Kuklewicz makes the motion to approve and sign, as well as ask staff to sign the letter presented to go to Mass. Broadband institute as well as representative Kulik. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson – Aye.

Ariel Elan

Correspondence to Attorney General and Dept. of Public Utilities objecting to Town's denial of intervenor status for proceedings concerning the proposed Northeast Energy Direct Pipeline

Kuklewicz makes the motion to approve and sign the letters presented to the Attorney General and the Dept. of Public Utilities objecting to the Town's denial of intervenor status for proceedings concerning the proposed Northeast Energy Direct Pipeline as presented. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson – Aye (attached)

Other:

Nelson asks W. Ramsey if we have heard from Mass. DOT regarding the General Pierce Bridge, answer is not at this moment.

Rich Kuklewicz

Ethics Disclosure Forms

Item withdrawn at this time. To be brought up at a later date

Michael Nelson

Appoint Vice Chair to the Board of Selectmen

Boutwell makes the motion to appoint Rich Kuklewicz as Vice Chair to the Board of Selectmen. Seconded by Nelson, approved. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Jason Burbank, Cable Advisory Committee, Request to extend MCCI contract until 12/31/15

Burbank: The exiting contract ends tomorrow. So we might maintain that while we continue negotiations we would like to continue this.

Kuklewicz makes the motion to extent the contract with MCCI until 12/31/15. Seconded by Nelson, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Town Administrator Report

Sign Close out Agreement with DHCD, for CDF Grant 0670 under FY12

Kuklewicz makes the motion to sign the Close out agreement with the Department of Housing and Community Development for CDF Grant 0670 under FY12. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Donation from Thomas Memorial Golf & Country Club for flags at cemeteries, \$399.60

Kuklewicz makes the motion to recognize the donation from Thomas Memorial Golf & Country Club for flags at cemeteries, \$399.60 and the Town Administrator to send a thank you letter. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Topics not anticipated in the 48 hour posting requirements.

Beginning Monday, July 6, Greenfield Road will be closed from Montague City Road to Hatchery Road. Use alternate route.

Letter from Dept. of Veterans Services an open house will be held at 298 Main Street. This is for the new Upper Pioneer Valley Service District.

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Approve Annual Appointments as set forth in the attached list

Kuklewicz makes the motion to appoint the following people for the following term effective July 1, 2015 through June 30, 2016: Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

John	Dobosz	Parks & Recreation Director	June 30, 2016
Linda	Hickman	Library Director	June 30, 2016
Kopelman & Paige		Town Counsel	June 30, 2016

Boutwell makes the motion to appoint the following people for the following term effective July 1, 2015 through June 30, 2016: Seconded by Nelson, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Abstain

Richard J.	Kuklewicz	Wiring Inspector
Thomas W.	Wyman	1st Alternate Wiring Inspector

Kuklewicz makes the motion to appoint the following people for the following term effective July 1, 2015 through June 30, 2016: Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Robert	Trombley	Waste Water Control Superintendent
Timothy J.	Hartnett	Alternate Gas & Plumbing Inspector
John	Letourneau	Alternate Gas & Plumbing Inspector
Herbert F.	Hohengasser	Gas & Plumbing Inspector
Frank E.	Abbondanzio	Chief Procurement Officer
David E.	Jensen	Building Inspector & Code Enforcement Officer
Richard	Asmann	Alternate Building Inspector
Richard D.	Sawin, Jr.	Forest Warden
Robert	Escott	Deputy Forest Warden
Walter	Ramsey	Town Planner and Conservation Agent
Tom	Bergeron	DPW Superintendent
Roberta	Potter	Council on Aging Director
Mark	Fitzpatrick	Veteran's Director
Mark	Fitzpatrick	Veteran's Burial Agent
John	Murphy	Veteran's Graves Officer
Robert	Escott	Emergency Manager
Juanita "Bunny"	Caldwell	Council on Aging
Ethel B.	Dobias	Council on Aging
Michael A.	Saharceski	Council on Aging
Teresa A.	Miner	Council on Aging
Loretta	Demers	Council on Aging
Christopher	Couture	Turners Falls Athletic Club Trust
Nancy Barry	Yankowski	Turners Falls Athletic Club Trust
David	Dion	Constable
Brian C.	Dobosz	Constable
Wendy M.	Bogusz	Constable
Judith	Lorie	Cemetery Commission
Tim	Van Egmond	Energy Committee
Chris	Mason	Energy Committee
Jason	Burbank	Energy Committee
Sally	Pick	Energy Committee
Pam	Hanold	Energy Committee
Robert	Setka	Energy Committee
Richard	Adams	Energy Committee
Jeff	Singleton	Energy Committee
Ronald	Sicard	Wells Trust
Mark	Downey	2 nd Alternate Gas & Plumbing Inspector
Mandy	Hampp	Assistant Town Clerk

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Kuklewicz makes the motion to appoint the Christopher M. Boutwell to the Franklin County Solid Waste Mgt. District effective July 1, 2015 through June 30, 2016: Seconded by Nelson, approved unanimously. Boutwell – Abstain,, Nelson – Aye, Kuklewicz – Aye

Kuklewicz makes the motion to appoint Michael Nelson as the Franklin County Solid Waste Mgt. District – Alternate effective July 1, 2015 through June 30, 2016: Seconded by Boutwell, approved unanimously. Boutwell – Aye,, Nelson – Abstain, Kuklewicz – Aye

Kuklewicz makes the motion to appoint Michael Nelson to the FRTA Advisory Board effective July 1, 2015 through June 30, 2016: Seconded by Boutwell, approved unanimously. Boutwell – Aye,, Nelson – Abstain, Kuklewicz – Aye

Kuklewicz makes the motion to appoint Jeff Singleton as the FRTA Advisory Board – Alternate effective July 1, 2015 through June 30, 2016: Seconded by Boutwell, approved unanimously. Boutwell – Aye,, Nelson – Aye, Kuklewicz – Aye

Kuklewicz makes the motion to appoint the following people for the following term effective July 1, 2015 through June 30, 2016: Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Frank E.	Abbondanzio	Gill-Montague Transit Authority
Carolyn	Olsen	Gill-Montague Transit Authority
Robert	O’Bear	Franklin Regional Council of Governments – Planning Rep
Robert	Steinberg	Broadband Committee
Pat	Allen	Battlefield Grant Advisory Board
David	Brule	Battlefield Grant Advisory Board
Richard	Colton	Battlefield Grant Advisory Board
Joe	Graveline	Battlefield Grant Advisory Board
Doug	Harris	Battlefield Grant Advisory Board
Richard	Ruth	Zoning Board of Appeals – Alternate
Allen	Ripingill	Zoning Board of Appeals – Alternate

Kuklewicz makes the motion to appoint Robert Sojka to the Zoning Board of Appeals effective July 1, 2015 through June 30, 2020: Seconded by Boutwell, approved unanimously. Boutwell – Aye,, Nelson – Abstain, Kuklewicz – Aye

Boutwell makes the motion to appoint Richard Kuklewicz to the Personnel Board effective May 19th, 2015 to May 21, 2018. Seconded by Nelson, approved. Boutwell – Aye, Nelson – Aye, Kuklewicz - Abstain

Kuklewicz makes the motion to appoint the following people for the following term effective July 1, 2015 through June 30, 2018: Seconded by Boutwell, approved unanimously. Boutwell – Abstain,, Nelson – Aye, Kuklewicz – Aye

Justin T.	Fermann	Conservation Commission
Alex	Peterkin	Conservation Commission

Kuklewicz makes the motion to appoint Robert G. Obear to the Planning Board effective July 1, 2015 to June 30, 2020. Seconded by Nelson, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Abstain

Kuklewicz makes the motion to appoint the following people for the following term effective July 1, 2015 through June 30, 2018: Seconded by Boutwell, approved unanimously. Boutwell – Abstain,, Nelson – Aye, Kuklewicz – Aye

Diane	Flynn	Agricultural Commission
Bob	Mizula	Agricultural Commission

Kuklewicz makes the motion to appoint Jay DiPucchio to the Board of Registrars effective July 1, 2015 to June 30, 2016. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

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Kuklewicz makes the motion to appoint John Furbish to the Economic Development & Industrial Corp – Low Income Seat effective July 1, 2015 to June 30, 2017. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Kuklewicz makes the motion to appoint the following people for the following term effective July 1, 2015 through June 30, 2016: Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Rodney	Madison	Planter Committee – Business Rep.
Christopher	Menegoni	Planter Committee – Business Rep.
Ya Ping	Douglas	Planter Committee – T. F. Resident
Matthew	Cohen	Planter Committee – T. F. Resident
John	Furbish	Planter Committee – At large Montague Resident

Kuklewicz makes the motion to appoint Patricia Pruitt to the Battlefield Grant Advisory Board - Alternate effective July 1, 2015 to June 30, 2016. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Cable Advisory Appointments

Kuklewicz makes the motion to appoint John McNamara and Jason Burbank to the Cable Advisory Committee effective July 1, 2015 to June 30, 2016. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Kuklewicz would like Kathleen Lynch present when her appointment is discussed as several residents have raised concern regarding potential conflicts. If this requires executive session we could have it at that meeting. The other concern is regarding Mr. Fairbrother and discussions taking place after the meeting. Some members are copied on emails and some are not. It appears to be potential conduct after the meetings around discussions that are happening outside of open meeting regarding various issues whether a particular person or topic. I think it would be appropriate to have Mr. Fairbrother come in to discuss this. I would be willing to sit in on that committee so the Board could continue to meet.

Boutwell makes the motion to appoint Richard Kuklewicz to the Cable Advisory Committee effective July 1, 2015 to June 30, 2016. Seconded by Nelson, approved. Boutwell – Aye, Nelson – Aye, Kuklewicz - Abstain

Boutwell makes the motion to adjourn the meeting at 9:39 PM. Seconded by Kuklewicz, approved unanimously. Kuklewicz – Aye, Nelson – Aye, Boutwell - Aye