

**SELECTMEN'S MEETING
UPSTAIRS MEETING ROOM
1 AVENUE A, TURNERS FALLS, MA
MONDAY, July 27, 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 (absent) , Executive Assistant, Wendy Bogusz

Approve minutes of June 29 and July 13, 2015, if available.

Boutwell makes the motion to approve the minutes of June 29, 2015. Seconded by Kuklewicz, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson – Aye

Approve Executive Session Minutes of 3/2/15; 3/16/15; 5/4/15

Boutwell makes the motion to accept the minutes of March 2, 2015 regarding a town employees health and the minutes are to be sealed and never released to the public. Seconded by Nelson, approved unanimously,. Boutwell – Aye, Nelson – Aye

Boutwell makes the motion to accept the minutes of March 16, 2015 regarding a town employees health and the minutes are to be sealed and never released to the public. Seconded by Nelson, approved unanimously,. Boutwell – Aye, Nelson – Aye

Boutwell makes the motion to accept the minutes of March 16, 2015 regarding a town employees health and the minutes are to be sealed and never released to the public. Seconded by Nelson, approved unanimously,. Boutwell – 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:

Iana Masla: Due to recent tensions both nationwide and also locally in our community between the police force and people of color specifically, I feel it is imperative that an adequate racial sensitivity and anti racism training be provided to the police force and all town employees. I would also like this training offered in a public forum. Would like our town to act as a role model nationwide. Did some research and passed out a list of local resources.

Rodney Madison: Two weeks ago I submitted a request to go before the Selectmen to be on the agenda to review and or discuss any anti racism training the police department, police chief and town employees have had and any other anti racism educations. I didn't get any response back. I got a No response but not to this request. The no response was on wanting to make an official complaint against the police department and my civil rights being violated and my being harassed. The letter I received from the Board said I had to have specifics etc. They never responded to my request to have any discussions or review of anti racism training or education for the police department. It's not going away. By right I deserve to have an answer yea or nay.

Nelson: I misunderstood the letter that came in. I will provide a document to you before the next meeting.

Kuklewicz: I had a hard time reading your handwriting; which prompted a discussion with Frank regarding having a policy for people submitting documents to be on the agenda.

Jon Dobosz, Director of Parks & Recreation, Establish Gift account for Community Garden at Unity Park

Kuklewicz makes the motion to authorize Parks and Recreation to set up gift account for landscape maintenance at the Community Garden at Unity Park. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Robert Trombley, WPCF Superintendent, CSO Electrical distribution system conduit & wiring

Situation that is causing problems with the electrical conduit and wiring that provide power and control to the CSO system at the WWTP. The condition of concern is the settling of the ground in the area of the CSO wet weather chlorine contact tank. The settling of the ground that supports the conduit has caused the electrical conduit to move downward. This downward movement results in a stretching of the wiring connected to system components some wiring has failed and was replaced to allow the affected component to operate. To address the long term concern with the effect on the CSO system we have done the following: Uncovered the conduit runs to the system where they connect to the equipment.; installing new conduit at the component end as necessary that has expansion joints

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to allow for some movement; contacted CDM smith to make them aware of the situation; sent correspondence to the Town Attorney Kopelman & Paige to address limits of liability concerning the CSO project. Another concern that will be investigated is whether the site is settling not due to the CSO issue alone but as the result of the location on the Connecticut River bank above the river. It is my desire to have a surveyor check the elevation of the major concrete structures and compare that information to the CSO plan. In this way we can confirm whether or not there is a bank shift issue (photos attached)

Kuklewicz feels Attorney should put contractor on notice to freeze the clock, Trombley will confirm the warranty is good for 6 years prior to this being done.

Pole Location Hearing, Bill Leblanc, Eversource

Place (1) soley owned pole, going Southerly appropriately 110' feet from the centerline of Stevens Street, and appropriately 25' Easterly of the Center line of Montague Street

Kuklewicz makes the motion to place (1) soley owned pole, going Southerly appropriately 110' feet from the centerline of Stevens Street, and appropriately 25' Easterly of the Center line of Montague Street. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Pole Location Hearing

Install a new jointly owned pole #6 on the Northerly side of Old Sunderland Road, approximately 1139' going Easterly from the centerline of Meadow Road

*Kuklewicz makes the motion to install a new jointly owned pole #6 on the Northerly side of Old Sunderland Road, approximately 1139' going Easterly from the centerline of Meadow Road
Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson – Aye*

Pole Location Hearing.

Place (5) fully owned poles, 200M, 202M, 203M, 205M, and 10M on the Northerly side of West Chestnut Hill Road, approx. 1590', 2050', 2345', 2912' and 4790' respectively from the center line of Ripley Road To place (1) jointly owned pole, 204M on the Northerly side of West Chestnut Hill Road, approx. 2600' from the center line of Ripley Road, To place (3) fully owned electric poles 197M, 198M and 199M on the Southerly side of West Chestnut Hill Road approx. 670', 997' and 1293' respectively from the center line of Ripley Road

Kuklewicz makes the motion to place 9 jointly owned poles on West Chestnut Hill Road as listed above. Seconded by Boutwell, approved. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Boutwell abstains from this portion of the meeting and left the table

Liquor License Violation Hearing, Ch. 138 §34-Sale or delivery of an alcoholic Beverage to a person under twenty-one years of age. 204 CMR 2.05 920; Food City, 250 Avenue A, Turners Falls

Dodge: On June 17, 2015 the Montague Police conducted Alcohol Compliance checks of all businesses in the Town of Montague that sell alcohol. Food City sold alcohol to a minor

Kuklewicz makes the motion to issue a one day suspension for the liquor license at Food City to be continued for 12 months, if there are no further violations during that time period the suspension will be lifted. Seconded by Nelson, approved. Nelson – Aye, Kuklewicz - Aye

Boutwell returns to the Table

Tom Bergeron, DPW Superintendent

Task Order No. 4 to Master Services Agreement between Town and CDM Smith, Inc., Sewer Maintenance Program – Engineer Services under Town Article 12, \$50,000

Bergeron: Basically these are extensions to the task orders with CDM last year. Town meeting gave us more money to extend our project for sewer cleaning, repairing and relining projects.

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Boutwell makes the motion to approve Task Order No. 4 to Master Services Agreement between Town and CDM Smith, Inc., Sewer Maintenance Program – Engineer Services under Town Article 12, \$50,000. Seconded by Kuklewicz, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Task Order No. 5 to Master Services Agreement between Town and CDM Smith, Inc., GIS System Development, \$31,300

Boutwell makes the motion to approve Task Order No. 5 to Master Services Agreement between Town and CDM Smith, Inc., GIS System Development, in the amount of \$31,300, seconded by Kuklewicz, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Other:

Greenfield Road Update

Culverts are being replaced so Greenfield Road is closed. We are looking into a way to save a larger culvert without spending a lot of money on engineering. We are thinking we will be putting a concrete arch in over the pipe to avoid costly repairs. A large rock crusher was brought in today. The State has been on Baltazar and they are doing good work. Anytime there is a problem, I hear from the supervisor and we are on top of it.

Boutwell abstains from this portion of the meeting

Liquor License Violation Hearing Ch. 138 §34-Sale or delivery of an alcoholic Beverage to a person under twenty-one years of age. 204 CMR 2.05 920, Black Cow Burger, 125 Avenue A, Turners Falls

Dodge: On June 17, 2015 the Montague Police conducted Alcohol Compliance checks of all businesses in the Town of Montague that sell alcohol. Black Cow Burger sold alcohol to a minor

Kuklewicz makes the motion to issue a one day suspension suspended if no additional violations in the next 12 month period the suspension will be revoked. Seconded by Nelson, approved. Kuklewicz – Aye, Nelson - Aye

Walter Ramsey, Town Planner

Review of Turnpike Road Landfill Area Solar Facility responses to request for proposals

Ramsey: Two proposals received and reviewed. One proposal made a strong proposal for the capped landfill, then they made another proposal to develop elsewhere within that 163 acres that the Town owns. The numbers seem pretty advantageous for the Town to the point that we are considering issuing a new request for proposals with additional area. We feel the time is right for solar right now because there is still space in the Eversource queue and companies are hungry to get projects on the ground right now because the Federal tax credit is due to expire at the end of 2016. I am recommending we discard the proposals we have and issue a new RFP including additional area. The income from a solar activity would be more or the same of what an industrial park would be at a full build out. No harm in doing RFP to get concrete numbers. System would be owned and operated by private developer, would be leased 20 – 25 years

Kuklewicz worth exploring, concerned as we don't have a lot of industrial land, where else in town could we develop this? First inkling we don't have to do anything and get almost as much money as the taxes, but on the other hand there is much more than just the taxes. A business could bring residents to the Town

Ramsey: It's difficult to make it a competitive project because of the small scale of the park. The Federal Government like larger parks. Because vernal pools popped up in our gravel pit it greatly reduced the developable land down to 35 acres and this makes it a tough sell at the Federal and State level. There is the possibility of having the solar array at the industrial park and the dog kennel staying where it is.

Kuklewicz: Worth pursuing but would be good to gather other information

Issue notice to proceed to GEG Construction of Springfield, MA for Millers Falls Road Bank Stabilization project for \$289,475.25

Ramsey: This is a project that has been in the works for a few years now, we received matching grant from FEMA to do work on Millers Falls Road. The road will eventually wash away if we don't do the work. We received four

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bids, did reference checks, appears they are qualified to do slope work, and we have a recommendation from Weston & Sampon.

Kuklewicz Makes the motion to Issue notice to proceed to GEG Construction of Springfield, MA for Millers Falls Road Bank Stabilization project in the amount of \$289,475.25. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Consider whether to extend Purchase and Sale Agreement on the Center School from July 31, 2015 to August 13, 2015

Ramsey: Hold up at this point was financing from the Bank. The bank had some issues with the land development agreement and we are waiting on their comments. The tank is ready to be removed. There is nothing we can do from our end to expedite the process. The project is proceeding.

Bergeron: I started the process to remove the oil tank. If this doesn't go through, we will have to do work to reinstall tank and if this does go through maybe contract can be signed first, then I will remove the tank.

Discussion about what would happen if we have to put a new tank back into the building.

Kuklewicz makes the motion to extend the purchase and sale agreement the Montague Center school from July 31, 2015 to August 31, 2015. This is the last and final extension. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Enforcement of Airport Industrial Park Covenants: Industrial Blvd Assessors Map 17, Lot 58: Property owned by River Bluff Realty, LLC

Ramsey: One lot was left and sold in 2012 to River Bluff Realty. They had a plan to develop a warehouse facility on the lot, and since they were approved to build the facility there has been no activity and they are well beyond 18 months. The planning board special permits have expired because there were two years with no activity. There are certain covenants that are deed restrictions on the parcel that the Selectmen tie to any sale of land sold in the industrial park. One of those covenants prevents land speculation, saying real estate needs to be used within one year. We are well beyond 18 months. Mr. Smith was invited to a meeting in the spring and he verbally committed to 2015 construction. At this point there is no way this can happen. I'm asking for enforcement of this covenants. Mr. Smith did not respond to the meeting invite in June.

Kuklewicz makes the motion to send a letter to Mr. Smith as presented noting the Board of Selectmen are prepared to enforce the restricted covenants as outlined in the deed restriction. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson – Aye

Accept landowner initiated Zoning Map Amendment Petition by Richard Widmer to redistrict Assessors Map 29, Lot 122 in Millers Falls (5 – 7 Bridge Street) from Public-Semi Public to Neighborhood Business under the Montague Zoning By-laws

Landowner bought the church and rectory, and this request would be consistent with the rest of the neighborhood

This request would get sent onto the Planning Board, Come back to the Selectboard to go to town meeting

Kuklewicz makes the motion to begin the process to change zoning on parcel Assessors Map 29, Lot 122, in Millers Falls (5-7 Bridge Street) from public-semi public to Neighborhood business under the Montague Zoning By laws. Seconded by Boutwell, approved unanimously. Boutwell l- Aye, Kuklewicz – Aye, Nelson - Aye

Chris Mason, Montague Energy Committee

Update on Funding and Timing of Sheffield School and Shea Theater Heating System Upgrade

Mason: School applied for town funds to put in new boiler. Recognized its complicated and inefficient. Energy spoke about pros and cons and the Town meeting voted this down. We've been working with Walter and the Town to apply for a grant and get an energy assessment of the building which would look at options for a temporary back

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up boiler. It would look for different options of upgrading heating system, and what is the buildings heating load, what other ways can we address energy loads? The grant application has not come through yet. The plan was to get the energy assessments, identify a temporary back up boiler, get that onto a special town meeting warrant, then we would want to be ready to apply for a Green Communities grant in March. The glitch is, we already have a Green communities grant with the Shea Theater that won't be completed in time and we can't apply for another one until this one is complete. We are here to see if you have any ideas on how to move the Shea Theater project faster. Have two options. Once identify what system to put in would be prepared to go to town for full cost. It absolutely needs an upgraded boiler in there and should be a high efficiency boiler. Second option would be if back up boiler is solid, wait for the 2017 Green Communities Grant. We might need to get temporary boiler in place this fall by getting money from Town meeting. There are rental units available

Ramsey: Town has contracted with Bales Energy to draw up performance specifications and those are due on Wednesday. Once received the Town can go out to bid and award a contract. This will take at least a month, the problem is installing these in the winter because it is tied to a roof repair project. We are realistically looking at Spring construction.

Discussion about options to do repairs in the winter to move the project along and apply for a Green Communities Grant

Town Administrator Report

Sign Authorization to Disburse – No. 8, Invoice #20140037, Senior Center Planning Study, \$5,400

Kuklewicz makes the motion to authorize disbursement No. 8, Invoice #20140037 for Senior Center Planning Study in the amount of \$5,400. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Appoint FRCOG Council Representative

Kuklewicz makes the motion to appoint Michael Nelson as Council Representative to the Franklin Regional Council of Governments. Seconded by Boutwell, approved. Boutwell – Aye, Kuklewicz – Aye, Nelson - Abstain

Announcement of FY2015 Community Development Fund I grant in the amount of \$374,909 from the Mass. CDBG Program

Ramsey: Grant funds 4 units, low to moderate income level in the Lake Pleasant area, funds the master plan for Norma's Park, also funds two social service programs (25% expansion of the Meals on Wheels program and continuation of the Montague Catholic Social Ministries that provides babysitting to adults who are learning English as a second language.

Topics not anticipated in the 48 hour posting requirements.

CAC appointments will be discussed next week

Kuklewicz makes the motion to adjourn the meeting at 9:10 PM. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye