

**SELECTMEN'S MEETING
UPSTAIRS MEETING ROOM
1 AVENUE A, TURNERS FALLS, MA
MONDAY, December 14, 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 December 7, 2015

Boutwell makes the motion to approve the minutes of December 7, 2015. Seconded by Kuklewicz, approved unanimously. Boutwell – Aye, Kuklewicz – 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:

Mike McCarthy, Riff's North: Question brought forward regarding fee for non use of liquor license and is told to send a letter to the board asking fee to be returned at the January 4th meeting.

Kuklewicz and Nelson agree that permits in this case scenario should not be billed for an entire permit year. There was discussion about prorating permits.

Bogusz gives examples of past practice and discussion held.

Nelson tells McCarthy to submit a formal request about his 2015 fee being returned and the Board will look into this. Discussion of this issue to be put on a future agenda.

Informational Meeting

FY 2016 Community Development Block Grant (CDBG) Application

Ramsey: We are going to give you a broad overview of what Montague can apply for in the upcoming year and present several projects we have coming up for next years application and well as hear from the community with input to the FY2016 CDBG Application

Pam Parmakian, Housing Authority Interim Director: As part of the block grant it's important we show the interest of the Town. These are Federal funds from HUD, administered by DHCD. The National objective is to benefit low/moderate income persons. Montague has 52.1% of low/moderate residents and Montague can apply for \$900,000 this year and is extremely competitive. This is an informational hearing which will be followed up with a public hearing on January 4, 2016 with a public hearing. Application deadline is February 12, 2016, awards are usually announced in July by the Governor

Ramsey: The Town will target Turners Falls and Montague City. Eligible activities include housing assistance, economic development and commercial rehabilitation, public facilities and infrastructure improvements, public social services and planning projects.

Carlos Nieto-Mattei, Landscape architect with the Berkshire Design Group: Presentation given for second phase to improve downtown lighting. A schematic design was shown for the 15 streetlight extension on both sides of Avenue A from Fifth to Seventh Street and 5 lights in Peskeompskut Park. posts that would go along the sidewalk on Avenue A cannot be put on green spaces as it would be on private property, therefore they will remove about 1-1/2 feet of sidewalk, lights will be the same model and same design as others along the street.

Nelson stated he has seen more people outside at night since the new lights and it is quite noticeable there are no lights from Second Street to First Street and asked if this can be added into the Phase II proposal. Ramsey replied it is too late for this phase but can be added in the future

Written support has been received from the business community

Social Services:

Jared Libby, Director, Brick House: Requesting \$25,000 in block grant money to go with the \$15,000 it already received from the Dept. of Public Health to fund two leadership and education groups for youth and young adults. The Center hopes to expand its youth opportunities for leadership and organizing group which teaches 13 – 18 year

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olds leadership skills and provides social justice and anti-bullying education. They would like, to bring in outside trainers so group could meet weekly rather than bi-weekly and also to engage in some community service learning projects. They also hope to pilot a new program for 18 – 24 year olds called “Living Skills” which would be held twice a month to teach you adults resume building, work place etiquette, health food access and preparation, sexual and mental health and moor.

Susan Mareneck, Montague Catholic Social Ministries: Discussed the family literacy program that goes in tandum with the citizens for new Americans that offers adult classes, 4 nights a week, at two different levels. While adults are in class, children take part in early literacy activities. The Gill Montague Schools worked with them to help develop the program.

Lynn Feldman, Franklin County Home Care: Services to elders and people with disabilities, meals on wheels program, which provides wellbeing checks and meals to homebound elders. This grant ensures no Montague residents will have to go on a waiting list and will serve 35 additional people.

Brian McQue: Housing rehabilitation Program: This would continue support for Housing Rehabilitation Program that has been running since 1980, will target Turners Falls area by providing zero percent deferred payment loans of up to \$35,000 to help residents bring houses up to code.

Nelson asks about doing Avenue A ramps under the ADA program, also requests Spinner Park planters get added to a future grant

Informational Meeting closed at 7:45 PM

Gary Konvelski, Gary's Coins and Antiques

License to place directional/informational sign in the public right of way: Lawn sign in planter in front of old store at 115 Avenue A

Konvelski: Been having a problem with customers finding the location of his new store.

Kuklewicz makes the motion to allow Gary Konvelski, Gary's Coins and Antiques to place a lawn sign no larger than approximately 18 x 24" in the planter in front of 115 Avenue A for a term no longer than 12 months from today. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Request to be considered for planter coordinator position

Konvelski: You need a Planter Coordinator, and David Jensen told me to come before you.

Discussion was held, and it was decided that the planter policy states the planter committee will suggest a name to the Selectboard for this position. Jensen will be asked to set up a meeting with the Planter Committee so they can forward a name to the Selectboard for appointment.

Nelson has no issue with Mr. Konvelski being appointed but feels we should follow the policy.

Bruce Hunter, FCRHRA

Authorization to disburse No. 4, Payment Requisition #4, Avenue A Streetscape Enhancement Project, contractor Mountain View Landscapes and Lawncare, Inc. \$116,948.24

Kuklewicz makes the motion to authorize disbursement No. 4, Payment Requisition #4, Avenue A Streetscape Enhancement Project, contractor Mountain View Landscapes and Lawncare, Inc. \$116,948.24. Seconded by Boutwell, approved unanimously Boutwell – Aye, Kuklewicz – Aye, Nelson – Aye

Brief discussion regarding using left over money to restore existing street lights and replace the globes. This will have to be looked into further.

Authorize Certificate of Substantial Completion dated December 14, 2015

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Kuklewicz makes the motion to authorize the certificate of substantial completion for Avenue A Streetscape Enhancement Project to Mountain View Landscapes and Lawncare, Inc. dated December 14, 2015. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Sign addendum #1 to the Professional Services Agreement between Town of Montague and FCRHRA for additional time to administer the FY14 CDBG grant until 6/30/16

Kuklewicz makes the motion to sign addendum #1 to the Professional Services Agreement between the Town of Montague and FCRHRA for additional time to administer the FY14 CDBG grant until 6/30/16. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Chip Dodge, Police Chief

Request to start process of hiring Reserve Officers

Dodge: Here to hire 2 new people as reserves and request a civil service list

Kuklewicz makes the motion to authorize Chief Dodge to begin the process of hiring 2 reserve officers and report back to the Board. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Request to hire Special Police Officers

Dodge: Town attorney confirmed we can have special police officers. They are officers who are not eligible to be full time officers through Civil Service. This allows me to use other people that are lower on the civil service list and get them trained and working before we are able to get to them on the list. This gives us extra people to work.

Kuklewicz makes the motion to authorize Chief Dodge to begin the process of review and hiring of special police officers to be reviewed by the Personnel Board at a future date. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Lieutenant Position

Approval to create a new Non-Union Lieutenant position in the Police Dept.

Dodge: We are looking at the possibility of adding 4 new police officers. Detective Doyle retired which was unexpected, we have an officer going to the academy in March, I had an officer come to me requesting to transfer to South Hadley in April, and I have two retirements. Times have changed, I am the only non union administrative employee. I need someone who is also second in command, that I can relinquish a lot of my authorities to when I'm not around; someone who just steps in and resumes my role, answers to the Board, anyone else in the Town. Because they are non union they can still be involved in disciplinary issues or complaints if someone comes in to complain about an officer. The biggest thing is over the years, in order for me to try to have any free time and not work until 9:00 PM every night, I have to delegate work to my Sergeants and ending up with lists a mile long for all of them. Now they are stuck in the station throughout the course of their shift doing administrative work instead of being out on the road, being available to supervise their officers but also show a presence. I'm trying to take back a lot of those huge responsibilities, the most significant ones, and get them out with the officers because they are going to need constant supervision and guidance. Because of the 4 positions that are going to be coming available, we are going to be saving about \$30,000 because the new people coming in will be at the bottom of the scale and the people retiring are at the top of the scale. I plan on using the surplus to fund the position as well as carry out the examination. It will pay for itself with additional fundings left over but we can't predict everything. I'm not looking for officer number 17 to add to our budget. Our budget will come down somewhat with these new guys and use that to train someone to be the second in command with some of that money. There are grants out there, I just don't have the time to look for them. When the top detective retires, he is paid more than a patrolman, that is when the lieutenant will take over a lot of the duties. Things that the third detective did, we will redelegate. Not adding a position, changing a detective to a lieutenant. 16 people including lieutenant. This position will also help Marsha out.

Authorization to submit a position description to Civil Service (Form 30) as well as send letter asking to have the title added to their municipal classification plan

Kuklewicz makes the motion to authorize Chief Dodge to begin the process of creating a new non union lieutenant position in the police department. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

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Kuklewicz makes the motion to authorize the chair to sign any documents related to the creation of a position of lieutenant in the police department. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Request approval to begin the Promotional Examination process for both a Sergeant and Lieutenant which includes: Get delegation agreement in place with Civil Service; Send out RFP's for an Assessment Center Company; Notify Civil Service of the Company chosen; proceed with the Assessment Center Promotional process

Kuklewicz makes the motion to allow the Chief to request the civil service paperwork to create a new promotional examination and authorize the Chair to sign said document. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Kuklewicz makes the motion to authorize the Chair to sign the civil service paperwork to implement a sergeants exam. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Kuklewicz makes the motion to enter into a delegation agreement to conduct the civil service exam for a Lieutenant and Sergeants position. Seconded by Boutwell, approved. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Request approval to appoint Reserve Officer as a Fulltime Police Officer increasing force size to 17 for the purposes of allowing the new officer to attend the fulltime police academy starting on March 28, 2016

Dodge: This is to cover replacement of Kyle Walley who wants to do a lateral transfer to another department.

Kuklewicz makes the motion to approve Request approval to appoint Reserve Officer as a Fulltime Police Officer increasing force size to 17 temporarily for the purposes of allowing the new officer to attend the fulltime police academy starting on March 28, 2016. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Berard Kubiak, Hampshire Council of Governments
Mark Cappadona and Brian Murphy, Colonial Power Group, Inc.

Cappadona: Discussion of Municipal Aggregation Program: It is a way of delivering to people who are still on basic service a lower more stable rate for residents. Everyone is automatically enrolled, but can opt out of the program. Brings all residents together and use buying power together. There is a process at the local and a two step process at the state level to move to be an aggregator. Town Meeting already voted for you to be an aggregator, then there is a plan that is created that this Board would pass and be hung for 15 days for the public to comment on if they wanted. After the 15 days it moves on for consultation with the Dept. of Energy Resources then we have a full filing at the Dept. of Public Utilities, then there is a public hearing then we get our order, and we ask how Montague wants to get their energy. The process is about 2 ½ months long. The purpose of this Plan is to represent consumer interests in competitive markets for electricity. It seeks to aggregate consumers in the Town to negotiate rates for power supply. It brings together the buying power of about 700 consumers. Furthermore, the Town seeks to better manage energy prices. Participation is voluntary for each eligible consumer. Eligible consumers have the opportunity to decline service provided through the Plan and to choose any Competitive Supplier they wish. The Town has distributed this Plan for public review prior to submitting it to the Massachusetts Department of Public Utilities. The fee is 1/10th of a penny. This whole process happens without any fee or charge to the community and you are not bound at any point to do anything until we come before you and have our order from the Dept. of Public Utilities and an ESA is signed with the supplier. You are just moving through the process.

Further discussion about the process

Ramsey informs the Board other companies have expressed interest in supply energy to the Town.

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Kuklewicz makes the motion to authorize the chair to sign the document that acknowledges the RFP process is not required for the municipal aggregation process. Seconded by Boutwell, approved unanimously. Kuklewicz – Aye, Boutwell – Aye, Nelson – Aye

Kuklewicz makes the motion to enter into a consult agreement for the management of the Towns aggregation program with Colonial Power Group. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson – Aye

Kubiak: There are energy related services available to the Town if it so chooses at no cost to the Town. You would add a small amount to the mill right on your aggregation agreement and that would be the funding source and I will be in touch with you if you want to discuss this further.

Updates and Next Steps

**Bob Escott, Turners Falls Fire Chief
Medicare Ambulance Information Request**

Kuklewicz recuses himself for both items presented by Chief Escott as he sits on the Prudential Committee.

Escott: The Fire Dept. is having trouble with manpower and we are looking at ways to increase manpower with as little impact to the tax payers as possible. We are going to check into the possibility of being the primary ambulance service as opposed to being the back up service. The beginning of that is how many calls per year are there. I contacted Medicare for this information and they have been less than helpful in getting the info to the Town. Page 2 on the contract the Town has with them states they will submit information to the Town upon request. I am asking the Selectboard to send them a letter making this request.

Boutwell makes the motion to authorize the chair to sign the letter to Medicare requesting information. Seconded by Nelson, approved. Boutwell – Aye, Nelson – Aye

Strathmore Buildings; ongoing issues of condition of building

Escott: Two years ago I did a walk through in the building and issued a notice to the Town to correct several issues in the building. Recently we were called to building 11 for a broken sprinkler and discovered a 15' x 20' hole where the floor had collapsed, creating a 15' drop to the floor below as well as a sliding metal fire door that was open to the outside several stories up. Somebody is going to die in these buildings and something needs to be done to correct the issues. We had a meeting with all parties involved and had a timeline. I am suggesting building 11 be secured and boarded up and we sit down and discuss the next steps for the rest of the complex. Some of the previous issues have been resolved.

Ramsey: Best estimate to remove hazardous material from entire building was about \$800,000. This would get the building to a point where we could do selective demolition or rehabilitation.

Escott: The building needs to be secured immediately. This conversation needs to be held with the Building Inspector. Swift River is inside the building and they store their items in a large portion of the building. My order was not to allow people in that building by themselves. The deal with Swift River needs to be resolved. Starting with building 11 would be the easiest place to get things accomplished right now.

Bob Escott, Walter Ramsey, Tom Bergeron, David Jensen and Michael Nelson will meet to discuss this on January 4, 2016

Walter Ramsey, Town Planner

**Northeast Energy direct Pipeline Intervener Petition FERC Docket CP 16-21-000
Gives the town the ability to similar to other correspondence we have sent to FERC**

Kuklewicz makes the motion to approve the intervener motion regarding opposition for the Town of Montague to the northeast energy direct pipeline and authorize the Board to sign. Seconded by Boutwell,

Original Document attached that is discussed in length along with additions presented by Ariel Elan.

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Kuklewicz makes the motion to endorse the proposed motion to intervene in the opposition to the Northeast energy direct pipeline as presented with modifications as presented by Ariel Elan and authorize the Board to sign before next Monday. Seconded by Boutwell, approved unanimously. Boutwell- Aye, Kuklewicz – Aye, Nelson – Aye

Jason Burbank, Cable Advisory Committee

Extend Cable Access Provider Contract to date to be determined

Kuklewicz makes the motion to extend the Cable Access Provider Contract with MCCI contract until March 1, 2016. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Burbank will be at the meeting in January to discuss Capital money

Town Administrators Report

Appoint Kenn Hannah to Broadband Committee until 6/30/16 to replace the seat vacated by Peter Vichi.

Kuklewicz makes the motion to appoint Kenn Hannah to the Broadband Committee until June 30, 2016. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Review of Inclement Weather Policy adopted April 11, 2011

Bergeron asked to meet to get clarification regarding the inclement weather policy and how it relates to some of his staff

Bergeron: It is not the policy itself, when we have a bad storm I will notify the Chair and we will discuss if we should close or not. When that happens my guys that are working for the DPW they receive another day because town hall is closed. Myself and 3 others in my department used to also get another day off, but no longer do. I want to know why this is. I know some are considered essential; why is my clerk and myself considered essential. I plow and have an agreement for me to plow. If I didn't plow why am I considered essential. I would like to correct that the 4 of us also get a day off. There is nothing in the TOMEA contract to address this issue.

A meeting will be set up in January to discuss this

To approve Annual Permit applications and Licenses as set forth in the attached documents

Kuklewicz makes the motion to authorize the following permits for 2016:

On Premise, Section 12, Liquor License, Restaurant, All Alcohol, The Alvah Stone, Equis Spanish Garden (Millers Pub), Hubies Tavern, Rendezvous, Pioneer Tavern, Inc., Between the Uprights @ 2nd Street, Riff's, Inc., Thomas Memorial Golf & Country Club, Black Cow Burger \$1,050 each;

On Premise, Section 12, Liquor License, Club, All Alcohol, Millers Falls Rod & Gun, Montague Elks, St. Kazmierz, St. Stanislaus, Turners Falls Rod & Gun Club \$725 each;

Off Premise, Section 15, Liquor License, Package Store, All Alcohol, Connecticut River Liquor & Wine, Crestview Liquors, Carroll's Market \$975 each;

On Premise, Section 12, Liquor License, Restaurant, Beer & Wine, Turners Falls Pizza House, The Lady Killigrew, Shady Glen, Great Falls Harvest, 5 Eyed Fox \$580 each;

Off Premise, Section 15, Liquor License, Package Store, Beer & Wine, Food City, Montague Village Store, F. L. Roberts \$550 each;

Pouring Permit, Farmer-Breweries, Element Brewing Co., \$110.00

Class II License, \$110 each, Bob's Auto, Koch's Auto Slaes, Mark's Auto, Montague Garage, NB Motor Sales, Rau's Sunoco, Semaski General Contractor, Stone's Equipment Repair

Class III License, \$110 each, Bob's Auto, Rau's Sunoco;

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Common Victualler License, \$40 each, Subway, Scotty's, Country Creemee, Ce Ce's Chinese Restaurant, 2nd Street Baking Company, Roberto's Family Restaurant;

Entertainment License, \$55, Montague Book Mill;

Lodging House License, \$40, F. C. Housing Authority;

Auto Amusement Device, \$45 each, Crystal Spring Investments, LLC, Hubies, Millers Falls Rod & Gun, Montague Elks, Rocket Science, LLC, Pioneer Tavern, St. Kazimierz Society, St. Stanislaus Society, Between the Uprights, LLC, Thomas Memorial Golf & Country Club; Argy Pizza, Inc., Great Falls, Harvest;

Entertainment License, \$55 each, Crystal Spring Investments, LLC, Hubies, Millers Falls Rod & Gun, Montague Elks, Rocket Science, LLC, Pioneer Tavern, St. Kazimierz Society, St. Stanislaus Society, Between the Uprights, LLC, Thomas Memorial Golf & Country Club; Turners Falls Rod & Gun Club, Bread & Water, LLC, Black Cow Burger, Five Eyed Fox, Element Brewing

Common Victualler License, \$40 each, Sahirat, LLC, Crystal Spring Investments, LLC, Crooked River Corp, dba Food City, Hubies, Millers Falls Rod & Gun, Montague Elks, Rocket Science, LLC, Pioneer Tavern, St. Kazimierz Society, St. Stanislaus Society, Between the Uprights, LLC, Thomas Memorial Golf & Country Club; Argy Pizza, Inc., Turners Falls Rod & Gun Club, Lady Killigrew Café, Inc., Bread & Water, LLC, Riff,s Inc., Great Falls, Harvest; Black Cow Burger, Shady Glen, Inc, Five Eyed Fox

Seconded by Nelson, approved. Kuklewicz – Aye, Nelson – Aye, Boutwell - Abstain

Topics not anticipated in the 48 hour posting requirements.

Barrel stickers are available

Nelson declares holding this executive session in open session will be detrimental to the public good

Executive Session under M.G.L. c. 30A, §21 (a)(6) to consider the purchase, exchange, lease or value of real property; 110 Industrial Boulevard, Turners Falls; Map 17, Lot 55 Votes may be taken

Kuklewicz makes the motion at 9:49 PM to go into Executive Session under M.G.L. c. 30A, §21 (a)(6) to consider the purchase, exchange, lease or value of real property; 110 Industrial Boulevard, Turners Falls; Map 17, Lot 55 Votes may be taken. Seconded by Boutwell, approved. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Release and approval of Executive Session Minutes from 12/7/15 meeting relative to discussion of an employee's physical condition; and strategy with respect to Collective Bargaining involving town unions (TOMEA, UE, IBPO pursuant to G.L. c. 30A, s. 21(a)(2)) executive session and open session expected, votes may be taken

Nelson declares holding this executive session in open session will be detrimental to the public good

Kuklewicz makes the motion at 9:49 PM to go into executive session for the Release and approval of Executive Session Minutes from 12/7/15 meeting relative to discussion of an employee's physical condition; and strategy with respect to Collective Bargaining involving town unions (TOMEA, UE, IBPO pursuant to G.L. c. 30A, s. 21(a)(2)), votes may be taken. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Kuklewicz makes the motion to adjourn the meeting at 10:24 PM. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye