

**SELECTMEN'S MEETING
UPSTAIRS MEETING ROOM
1 AVENUE A, TURNERS FALLS, MA
TUESDAY, November 1, 2016**

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 and Executive Assistant Wendy Bogusz

Approve Selectmen minutes of October 3, 4, 5, 17 and 25, 2016

Boutwell makes the motion to approve the minutes of October 3, 2016. Seconded by Nelson, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Boutwell makes the motion to approve the minutes of October 4, 2016. Seconded by Nelson, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Boutwell makes the motion to approve the minutes of October 5, 2016. Seconded by Nelson, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Boutwell makes the motion to approve the minutes of October 17, 2016. Seconded by Nelson, approved. Boutwell – Aye, Nelson – Aye, Kuklewicz – Abstain

Boutwell makes the motion to approve the minutes of October 25, 2016. Seconded by Nelson, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – 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

None

Bruce Hunter, FCRHRA

Execute contract for FY2016 CDBG Avenue A and Peskeompskut Park Pedestrian Lighting Project Between the Town of Montague and Berkshire Design Group, Inc. in the amount of \$22,500 to be completed within 15 months

Nelson makes the motion to execute the contract for FY2016 CDBG Avenue A and Peskeompskut Park Pedestrian Lighting Project between the Town of Montague and Berkshire Design Group, Inc. in the amount of \$22,500 to be completed within 15 months. Seconded by Boutwell approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Execute contract for FY2016 CDBG Social Service Program Between the Town of Montague and Montague Catholic Social Ministries in the amount of \$27,466 to be completed with 15 months

Nelson makes the motion to execute the contract for FY2016 CDBG Social Service Program Between the Town of Montague and Montague Catholic Social Ministries in the amount of \$27,466 to be completed with 15 months. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Execute contract for FY2016 CDBG Social Service Program – Between the Town of Montague and Life Path, Inc. (f/k/a Franklin County Home Care Corp, Inc.) in the amount of \$35,000 to be completed within 15 months

Nelson makes the motion to execute the contract for FY2016 CDBG Social Service Program – Between the Town of Montague and Life Path, Inc. (f/k/a Franklin County Home Care Corp, Inc.) in the amount of \$35,000 to be completed within 15 months. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson - Aye, Kuklewicz - Aye

Tom Bergeron, DPW Superintendent

Execute Change order #1 - \$47,750 and #2 - \$23,850, National Water Main Inc., Turners Falls Main Drain Rehabilitation and Siphon Cleaning Project

This is for work that was done under canal in the patch area. Change order #2 is for extra costs in material and labor to have extra crack sealing done within the pipe before they could line it. Work is completed, up and running and working well. They removed 100 yards of sand, was in good shape, just a lot of cracks.

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Nelson makes the motion to execute the Change order #1 - \$47,750 to National Water Main Inc., Turners Falls Main Drain Rehabilitation and Siphon Cleaning Project. Seconded by Boutwell – Approved unanimously. Boutwell –Aye, Nelson – Aye, Kuklewicz - Aye

Nelson makes the motion to execute the Change order #2 - \$23,850, to National Water Main Inc., Turners Falls Main Drain Rehabilitation and Siphon Cleaning Project. Seconded by Boutwell – Approved unanimously. Boutwell –Aye, Nelson – Aye, Kuklewicz - Aye

Walter Ramsey, Town Planner

Review and consider Robert Obear's Commercial Homesteading Proposal for 15 Power Street"

Procurement Summary:

Notice: RFP Released (posted at Town Hall and on Town website) July 26, 2016; Notice published in MA Central Register August 3, 2016; Notice in Greenfield Recorder and Daily Hampshire Gazette August 3, 2016. **Interest:** 14 Potential respondents obtained the RFP, 2 potential respondents attended the site walk. **Proposals opened on October 13, 2016:** One complete proposal was received from Robert Obear. **Proposal Summary:** Rehabilitate existing 10,000 square foot structure into 2 live/work units with remaining 4/5 of floor area dedicated to artists/business incubator space – what the developer calls the Power Street Art/Biz Collaborative. The proposed purchase price is \$10,000 (\$10,000 min). The committed minimum equity investment is \$75,000 (\$75,000 min) although the developer plans to invest between \$600K and \$732K. **Proposal Review:** Proposals were reviewed and scored by Town Planner, Town Administrator and Building Inspector in accordance with the 7 comparative criteria in the RFP (experience, qualifications, responsiveness to RFP, level of investment, economic impact, feasibility and site improvements). Based on the cumulative and average scoring, the proposal was deemed to be "advantageous" to the town. The individual score sheets are available on file. Staff interviewed Mr. Obear on October 26, 2016 **Recommendation:** The staff review team recommends accepting Robert Obear's response this commercial homesteading solicitation.

Development Goals of the project are: the developer of the "Power St., Art /Biz Collaborative" intends to create a maximum of 2 new live/work spaces in conjunction with an additional 17 artists/business incubator spaces. We plan to create a rooftop solar array to power the buildings' common areas and HVAC systems. We plan to reconnect water, sewer and gas utilities to the building. We plan to restore the exterior finishes and façade of the building to historical standards through the state historical tax credit program, as well as the federal tax credit program. The developer reserves the right to alter or modify his planned use if the market demand changes. We reserve the right to apply for any allowable uses under current zoning regulations in addition to or in place of the initial intended and described use. The developer's primary goals include but are not limited to: 1) providing economic benefit and employment opportunities for the town of Montague 2) to increasing the supply of artist and commercial workspace in the town of Montague 3) to catalyze further redevelopment and private investment in the historic Mill District 4) to generate tax revenue for the town of Montague through redevelopment of the property 5) to help foster further the redevelopment of this blighted area through granting of a TIF. Hope to break ground in Spring, largest obstacle is getting water and sewer to the property as there currently no connections.

Questions listed on handout from Mrs. Golrick was asked and given to Walter for further review.

Nelson makes the motion to accept the Commercial Homesteading Proposal for 15 Power Street as presented by Robert Obear dba Power Street Art/Biz Collaborative. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Bob McDonald, WPCF Superintendent, and Grant Weaver, Interim Superintendent, FY17 Sewer Rate Hearing

Abbondanzio: Two votes made at last special town meeting, one was to rescind an article that would have taken \$200,000 out of sewer user fees and put them into the sewer capitalization fund, that was assuming we were going to get revenue from the process that is not happening yet so that was rescinded. Special Town Meeting approved using \$200,000 in retained earnings to set the sewer rate. This is a 17% increase

Weaver: Then we ran the numbers to see how it will work and this really drains the reserves down to a low number.

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Abbondanzio: To use any more than the \$200,000 would be dangerous as we don't know what we are taking in from the sludge and we don't want to build to large of a number into retained earnings budget base because next year the sewer users will get hit with a huge increase. We are trying to find a balance.

McDonald: Is waiting for John to return and he will be hiring two more people.

Brief discussion about DEP order and the new process

Weaver: In developing the rates, 17% increase was applied throughout. Historically there has been a surcharge, an extra charge for stronger Wastewaters. The idea being that extra loading on the treatment plant carries extra operating expenses. During this "intermission" where we are not receiving any trucked in waste has been processing so much suspended solids it doesn't make a lot of sense to continue these surcharges so I am recommending they be zero'd out. There no longer is much justification for it.

Abbondanzio points out that there should be a caveat that if the "process" stops this can be added back in.

Discussion about capital projects and funding and further talks about the process and how it effects the budget

Mr. Blanker suggests the Town speak with the Water Dept. regarding proper water flow/billing to see if there is a disconnect.

Nelson makes the motion to adopt the FY2017 Sewer Rates as recommended by the Interim Waste Water Superintendent as follows:

RESIDENTIAL & INDUSTRIAL CUSTOMERS

I. GILL, SOUTHWORTH & STRATHMORE: *New rate: \$7.41 per 1,000 gallons, (Current rate: \$6.33 per 1,000 gallons);* **II. TURNERS FALLS, MONTAGUE CENTER, MONTAGUE CITY & LAKE PLEASANT:** *New rate: \$8.00 per 1,000 gallons, (Current rate: \$6.84 per 1,000 gallons);* **III. 12-month Flat Rate:** *New rate: \$443.00 per Fiscal Year, (Current rate: \$378.00 per Fiscal Year);* **IV. Millers Falls:** *New rate: \$8.00 per 1,000 gallons, (Current rate: \$6.84 per 1,000 gallons)*

INDUSTRIAL SURCHARGES

TOTAL SUSPENDED SOLIDS (TSS) – CONTRACT RATE: *Proposed rate: \$0.00 per pound*, (Current rate: \$0.0905 per pound);* **TOTAL SUSPENDED SOLIDS (TSS) – NON-CONTRACT RATE:** *Proposed rate: \$0.00 per pound*, (Current rate: \$0.2956 per pound);* **BIOCHEMICAL OXYGEN DEMAND (BOD):** *Proposed rate: \$0.00 per pound* (Current rate: \$0.2078 per pound.) *Should the trucking-in of thickened sludge cease, the FY 2015 rates will be reinstated for the surcharges.*

SEPTAGE

MONTAGUE AND GILL: *Proposed rate: \$90.00 per 1,000 gallons, (Current rate: \$75.00 per 1,000 gallons);* **OUT-OF-TOWN:** *Proposed rate: \$100.00 per 1,000 gallons, (Current rate: \$80.00 per 1,000 gallons);* **TRUCKED-IN SLUDGE:** *Proposed rate: \$362.75 per dry ton, (Current rate: \$310.00 per dry ton);*

OTHER (NO CHANGES)

INTEREST RATE: *Proposed rate: 14% per Annum, (Current rate: 14% per Annum);* **DEMAND CHARGE:** *Proposed rate: \$5.00, (Current rate: \$5.00);* **MINIMUM BILL:** *Proposed rate: \$36.00, (Current rate: \$36.00)*
Seconded by Boutwell approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Frank Abbondanzio, Town Administrators Report

Execute letter to Baltazar Contractors, Inc.; Letter putting contractor on notice

Abbondanzio: This deals with Millers Falls Road Sewer Emergency the Town experienced in 2013 and basically the Town is taking a legal position on this that the contractor did not follow the requirements we had with him and as a result of that there were some results taken by the contractor, the engineer was not informed when they should have been informed. As a result with the contractor going ahead in phase 1 and installing the pipe without notifying the engineer the discrepancy in the engineering plans and what they were seeing in the ground, the contractor took actions that were detrimental to the Town. What they did was lay the pipe in at an elevation that caused us to do a second phase sewer project on Industrial Boulevard. As a result of that, the Town is seeking reimbursement in the amount of \$459,500 for the work that was incurred in Phase II on Industrial Blvd unnecessarily due to the contractor's inaction.

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Nelson makes the motion to execute the letter to Baltazar Contractors, Inc. as presented regarding Millers Falls Road Project in 2014 and earlier. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Out of the Darkness Walk to Fight Suicide:

Registration for Assembly, Use of Public Property: Heather White, AFSP, November 18, 5:00 PM to 7:30 PM, TFHS, to Hillside Road, to Turners Falls Road, to Turnpike Road, to TFHS

Nelson makes the motion to approve the Registration for Assembly, Use of Public Property request for Out of the Darkness Walk to Fight Suicide to Heather White, AFSP, on November 18, 2016 from 5:00 PM to 7:30 PM, TFHS, to Hillside Road, to Turners Falls Road, to Turnpike Road, to TFHS, pending copy of insurance being received. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Application to place Sign on Peskeompskut Park and Montague Center Common: 11/2/16 – 11/18/16, Heather White, AFSP

Nelson makes the motion to approve the request to place a Sign on Peskeompskut Park and Montague Center Common: 11/2/16 – 11/18/16 in regards the Out of the Darkness Walk to Fight Suicide Event. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Application to place Signs on public property: Prominent high traffic areas throughout Montague, 11/2/16 – 11/18/16, Heather White, American Foundation for Suicide prevention (AFSP)

Nelson makes the motion to approve the request to place Signs on public property in town owned areas throughout Montague, 11/2/16 – 11/18/16, Heather White, American Foundation for Suicide prevention (AFSP) up to 20 signs. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Topics not anticipated in the 48 hour posting requirements

NONE

Executive Session under G.L. c 30A, Section 21 (a)(3) to discuss possible legal action and Strategy concerning the Berkshire Gas moratorium DPU docket #16-103, Votes may be taken

Kuklewicz declares holding this in open session would be detrimental to the public good.

Nelson makes the motion at 8:30 PM to go into Executive Session under G.L. c 30A, Section 21 (a)(3) to discuss possible legal action and Strategy concerning the Berkshire Gas moratorium DPU docket #16-103, Votes may be taken. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Nelson makes the motion to adjourn the meeting at 9:05 PM. Seconded by Boutwell approved. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

List of Documents and Exhibits:

- Minutes of October 3, 4, 5, 17 and 25, 2016
- FY16 CDBG Contract for Avenue A & Peskeompskut Park Pedestrian Lighting Project with Berkshire Design Group
- FY16 CDBG Contract for Social Services Program with Montague Catholic Social Ministries
- FY16 CDBG Contract for Social Services Program with Life Path, Inc.
- Change Order #1, National Water Main, Inc.
- Change Order #2, National Water Main, Inc.
- Commercial Homesteading Proposal for 15 Power Street from Robert O' Bear
- Letter to Baltazar Contractors
- Out of Darkness Walk to Fight Suicide
 - Application to Place Signs in Town and at Peskeompskut Park and Montague Center Town Common
 - Use of Public Property Form for walk