

**SELECTMEN'S MEETING
UPSTAIRS MEETING ROOM
1 AVENUE A, TURNERS FALLS, MA
MONDAY, January 23, 2017**

Meeting was opened at 7:00 PM in the Upstairs Meeting Room. Present were Selectpersons Chris Boutwell, Michael Nelson, Rich Kuklewicz, Town Administrator Steven Ellis, and Executive Assistant Wendy Bogusz. Kuklewicz makes introduction and announces meeting is being taped.

Approve Selectmen minutes of December 20, 2016 and January 5 and 9, 2017

Nelson makes the motion to approve the minutes of December 20, 2016. Seconded by Boutwell, approved unanimously. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

Boutwell makes the motion to approve the minutes of January 5, 2017. Seconded by Nelson, approved unanimously. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

Kuklewicz: January 9th are still in transcription.

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.

Walter Ramsey, Town Planner and Suzanne LoManto, RiverCulture Director

Resolution to create a state-authorized cultural district to be named the Turners Falls Cultural District encompassing portions of the downtown area

Ramsey: Cultural districts were created by state statute back in 2011. They're designated by the Mass Cultural Council. There are over 30 of these cultural districts across the Commonwealth. A cultural district is a special place that is self-identified by each community. It's a walkable, compact area that is easily identifiable to visitors and residents, and serves as a center of cultural, artistic, and economic activity. Seeking this state designation is an affirmation of how far we've come in the Turners Fall Revitalization Process and is a way for our existing arts and cultural organizations and individuals to organize and get connected. The major partners within the district are the Shea Theater, the Great Falls Discovery Center, the library, Unity Park, as well as Town Government and RiverCulture. We are going to be meeting quarterly and talking about the district overseeing the development of the district as well as participation of smaller groups and businesses in the community. We're talking about the district itself as being the intersection of Avenue A and 3rd Street, and basically a five-minute walk in all directions from that intersection, from the Connecticut River Bike Path where you enter from the Turners Falls/Gill Bridge, all the way to the library along Avenue A, then 3rd Street from the new parking lot down to Unity Park. Within that district there are some substantial cultural anchors and investments that have been made by the community - the Shea Theater, Discovery Center, the library, the bike path, and the community park with the skate park. There are places where you can catch live music or watch live art, as well as public art pieces that have been curated by RiverCulture over the years. Five years ago, we did apply for cultural district designation and its inaugural round. They said, "Come back with a more concrete proposal," but they also recommended that we continue on our path, make a few concrete improvements, and come back again in a few years. Since then, we've done a livability plan, built the skate park, and did the Streetscape improvements. There were some renovations at the Shea Theater, and several new businesses and shops have opened up. So we feel like we're at a good point to make this application and show the State that the RiverCulture program is working, and we're going to be looking for further funding for that in the coming months.

LoManto: We had a public meeting on January 11th that was publicized and well-attended, and we got a lot of really fantastic input from the community. The answers to the questions that are on the actual application were given to you last week, and this is how we plan on answering all the questions about the district, the district narrative, programming that has been in the district in the past, and what we're planning on doing in the future, including how we're going to manage it and who is going to manage it.

Rich Wydmer: expressed his concern about the systemic disenfranchisement in Millers Falls, with losing the post office, the school, the church, and the fire department, and expressed hope that the Town would also look at all of the villages, in particular Millers Falls.

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Nelson makes the motion to authorize the Chairman of the Board to sign the Resolution to create a State-authorized cultural district to be named the Turners Falls Cultural District. Seconded by Boutwell, approved unanimously. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

Nelson makes the motion to authorize the Chair to sign the letter to Meri Jenkins at the Massachusetts Cultural Council. Seconded by Boutwell, approved unanimously. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

Approve and execute grant of conservation restriction to Mount Grace Land Trust and Town of Montague. Grantor: William Hunting, Property Address: 301 E. Chestnut Hill Road, constituting 80.51 Acres, Jamie Potter, Mt. Grace Land Trust

Ramsey: This is executing a conservation restriction for a piece of land out on the western part of town, near the entrance to the Wendell State Forest Headquarters. This is a six-generation farm called The Hunting Estate, and it's 80 acres that the Town of Montague would be a co-holder of the conservation restriction with Mount Grace Land Trust. The land would remain in private ownership and remain on the tax rolls. It's adjacent to a bunch of other protected land. The Conservation Commission has been working with Mount Grace on this for a number of months. They've already executed all of their portions of the documents and are very comfortable with this project.

Potter: Back in 2015, I asked for a letter of support for a landscape partnership grant that we applied for and later received from the State, and it's for 500 or more contiguous acres. This is part of a larger landscape scale project in Millers Falls and the Town of Wendell. It's going to protect over 700 acres of working farmland and forestland in the two towns, so this is going to be the first of the co-held LCR's to be closing, and we expect to close at the end of this month.

Discussion: The grant would limit development on that parcel. The abutting lands were identified on the inset map. The farm is still a working farm - they do work in forestry and hay, and hopefully they will be reclaiming the pasture. Executing the grant isn't costing the Town anything to put this land into protection because there was a State grant that led to Mount Grace.

Nelson makes the motion to approve and execute the Grant of Conservation Restriction to Mount Grace Land Trust and Town of Montague. Grantor: William L. Hunting, Property Address: 301 E. Chestnut Hill Road, Constituting 80.51 Acres. Seconded by Boutwell, approved unanimously. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

James Hunter, Berkshire Brewing Co.

One Day Beer and Wine License, Shea Theater, 71 Avenue A, on 2/9/17, 2/11/17, 2/17,17, 2/18/17 from 6:00 PM to 11:00 PM

Nelson makes the motion to approve the One Day Beer and Wine License for the Shea Theater at 71A Avenue A on 2/9/17, 2/11/17, 2/17,17, 2/18/17 from 6:00 PM to 11:00 PM to Jason Hunter, Berkshire Brewing Co, fee to be waived. Seconded by Boutwell, approved unanimously. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

Personnel Board and Chief Dodge

Jamal Holland as Temporary Fulltime Police Officer returning to Reserve Police Officer, 8+/- hours per week. Grade: Reserve Officer, Step 3, Wage \$17.00/hr, effective 1/28/17

Nelson makes the motion to approve the change of Jamal Holland from Temporary Fulltime Police Officer returning to Reserve Police Officer, 8+/- hours per week, Grade: Reserve Officer, Step 3, Wage \$17.00/hr, effective 1/28/17. Seconded by Boutwell, approved unanimously. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

Personnel Board and Gina McNeely, Director of Public Health

Request approval of Public Health Nurse Job Description and classify position as, Grade E, rate: \$20.93/hr. to \$25.76/hr.

Nelson announces there is the potential for a quorum of the Board of Health so he will abstain from all conversations. Boutwell announces he is a member of the Board of Health.

McNeely: Many years ago, we had employed a 20-hour a week nurse in town. In 2008 we hacked that budget down quite a bit to the point where we had a five-hour-a-week nurse. For about three or four years, we went

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through a nurse a year. We kept hoping that we would find a retired person or someone that's out of the field but wanted to keep a finger in, but it hasn't happened. We did the Pay and Classification Study in 2013, which included a public health nurse. I need to ask the Personnel Board if can we hire a nurse for five hours a week, an unbenefited position at a Step 9, Grade E, which works out to \$25.01 per hour.

Kuklewicz: And the responsibilities of the nurse are just some general public health things?

McNeely: For wealthier towns and in better economic times, a public health nurse does a lot of work in the community. Home visits, bandage changes, flu shots and immunizations for folks who are homebound, wellness clinics, certainly in some of our villages we could use a public health nurse's presence, general dental health and care for cooking. We have food deserts in town where people can't get to the supermarket or a market to buy fresh food, and nurses have played a role in helping obtain that food and how to prepare it in a healthy manner. The down and dirty for us is that we are responsible for over 100 communicable diseases that are reported to the Board of Health by the State that we have to act on. There are enteric diseases that are very involved with follow-up. We call the case and go locate the patient and try to gather as much information as we can, highly confidential information, and then send it off to the State.

Kuklewicz: So this would be a kind of scheduled-office-hours-type job, but could be flexible if potentially if there's an emergency?

McNeely: That's the thought, because, as Chris said, there's extra money in that line item, and I always think of that as that little pot of money that could go to an emergency if we had to follow-up on something serious, or do some education around mosquito-borne diseases.

Boutwell makes the motion that the Board authorize a Public Health Nurse for the Board of Health, which would be Grade E, Step 9, at \$25.01/hr., an unbenefited position at five hours per week. Seconded by Kuklewicz, approved. Boutwell - Aye, Kuklewicz - Aye, Nelson - Abstain.

The job description was reviewed and there were some questions about highlighted areas and changes that McNeely made. Kuklewicz suggested putting it on the agenda next week, and if the changes are minor, McNeely could just let Steve know and doesn't need to come to the meeting.

Town Administrator's Report

Execute Agreement with FCSWMD regarding regional sludge disposal contract

Boutwell recuses himself from this portion of the meeting.

Ellis: The first item is an agreement by and between the Franklin County Solid Waste District and the Town of Montague. The Solid Waste District manages regional sludge disposal contracts for area municipalities. The fact that we actually are importing sludge again as our Montague process has been restarted in the context of the pilot that we are doing under DET supervision allows us to begin accepting that sludge. The Solid Waste Management District is still managing those contracts. This defines specifically that Montague will be charging the district \$362.75 per dry ton, with dry tons calculated using gallons delivered in percents solid. This essentially is part of the administrative paperwork we need to once again be able to help our neighbors and assist ourselves economically in this process.

Kuklewicz: When we were hauling sludge out of town, do you know what we were paying per ton?

Ellis: I'm not certain, but the primary cost was in the transportation. That is actually one of the great value adds of the Montague process is that it moves a site for proper disposal much closer to where it is.

Nelson makes the motion to execute the agreement with the FCSWMD regarding the regional sludge disposal contract that's been presented. Approved. Nelson - Aye, Kuklewicz - Aye, Boutwell - Abstain.

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Special Town Meeting

Boutwell makes the motion to set the Special Town Meeting for Thursday, March 2, 2017 and all warrant items are due by February 7, 2017 at 4:00 PM. The location will be determined in the near future. Seconded by Nelson, approved unanimously. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

Announce Article submission deadline for May 6, 2017 Annual and Special Town Meeting

Boutwell makes the motion that the Board authorize the Special Town Meeting warrant to be closed on Monday, March 13, 2017 at 4:00 PM, no articles will be accepted after that, and they must be on the appropriate forms obtained from the Selectboard Office, and no further articles will be added on the warrant after this date. Seconded by Nelson. Unanimously approved. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

Boutwell makes a motion that the Board authorize the Annual Town Meeting to be scheduled for Saturday, May 6, 2017 at the Turners Falls High School theater, warrant articles also for the Annual Town Meeting will have to be in to Town Hall before 4 PM on Monday, March 13, 2017 at 4:00 PM, all articles must be on the appropriate forms obtained from the Selectmen's Office, and no further articles will be added on the warrant after this date. Seconded by Nelson. Unanimously approved. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

Execute Contract with Rowena Rantanen for transcription service, \$14.00/hr.

Ellis: We've had an enormous number of meetings as compared with some years ago. We have less of our Executive Assistant's time, and what I've observed certainly is a disproportionate amount of time that is required to be devoted to meeting minutes and etc. We always want to be as timely as possible, as accurate as possible, and to get those done as efficiently as possible. We are asking you to contract with Rowena Rantanen for transcription service at a rate of \$14 per hour. We're anticipating as much as 12 hours of transcription on a weekly basis between now and June 30th, and we have a cap on that contract of \$3,864. This is money that we do have in our existing budget. This is an individual who has previously provided transcription service to the Board of Selectmen, someone we know is qualified and capable. We need Wendy's time to be focused on higher-order matters. What we'll have is a facilitated minutes process to make sure that Rowena has appropriate supervision in the development of these minutes. Because we did not have to take the step of going into an interim director, we have a small line item for professional services from which we can draw a portion of this coverage in the present fiscal year.

Kuklewicz: I think it's worth trying. This will go through the rest of the year, and then we can decide. I know I've had some concerns in the past about certain boards that might have hearings or maybe more than just a normal meeting. Most of those folks are responsible for their own minutes, which can sometimes get behind when you have a volunteer group of people. Next thing you know, you've had three meetings and you don't have your minutes done. Maybe something longer term as time goes forward, we may want to audit a little bit and see where we're at.

Ellis: We know that Selectboard minutes, be they regular minutes, special meeting minutes, or even Executive Session minutes are the most carefully scrutinized. Most policy decisions occur here, and so this is an appropriate place to start. The reality is that transcription is not cheap as an endeavor as it is not a one-to-one ratio of hours of work to transcribe. And this is an important test for us. I do have some concerns about being able to do this at an institutional level just from a budgeting perspective.

Subjects discussed included the need to check for accuracy, as well as the transcriptionist's remote location preventing her from attending the meetings.

Kuklewicz: We'll give it a shot, see how it works, and make some decisions from there.

Nelson makes a motion to execute the contract with Rowena Rantanen for transcription services at \$14/hour through the end of the fiscal year, June 30, 2017, with an amount not to exceed \$3,864. Boutwell seconded, unanimously approved. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

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Discuss adding snow date to agenda

Nelson makes the motion to designate every Tuesday from now until the end of March of 2017 as a snow date for the preceding Monday's Board of Selectmen meeting, if there is one scheduled, and that meeting needs to be rescheduled due to inclement weather. Boutwell seconded. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

Railroad Salvage Update

Ellis: Following the fire of December 31st, the Railroad Salvage building was found by our Building Inspector and Fire Chief to be very unstable, hazardous, resulting in road closure in that immediate area. Through a court order, the Town received permission to deal with and resolve the immediate threats to the building. This involves removal of much of the L, the back of the building, as well as the elevator tower and a major truss rod that went across from the elevator tower to the west wall of the building. The west wall of the building also had to be taken down to its second level from four. I think that the contractor that we worked with under emergency bid procedures, which were approved by the State's Division of Capital Assets Management, allowed us to very quickly remedy that situation a few days after the court order after that weekend following, and they got the work done in one day, which is great news because it saved us a lot of money. We were absolutely paying based on days on site and use of equipment. I have not seen the invoice, but I understand it will be in the sum of \$5,000, well under our appropriation in initial estimates. This allows us to preserve some of that money in Unsafe Unhealthy Buildings Fund, or potentially if there's a pressing priority, to move some of those monies at some point back into Discretionary.

Nelson: So at this point, is Power Street reopened?

Ellis: It has been reopened. It was immediately thereafter returned to previous service.

Nelson: If I remember correctly, it was changed to a one-way so that cars weren't parked at that stop light for fear of the wall collapsing.

Kuklewicz: I don't know what it would take to get the traffic signals down there. When it was originally put in that bridge, it was a two-way bridge, and there were lights on the other side. What we can do is solicit some feedback from the Police Department, the Highway Department, through the Town Administrator, to see if there's value in making it a signaled street. And if that's the case, we would have to have somebody come and investigate the condition of the signaling equipment to determine if it's even still viable.

Strathmore Update:

Ellis: As everyone knows, we did receive an order from the State Fire Marshal's office requiring compliance with the set of conditions that were originally described in January of 2014 relative to securing the building, clearing of materials, securing the roof and broken windows so that it isn't open to weather, and potentially also the sprinklers. We've also taken a couple of other actions in the very immediate term. One, Chip has his squad doing two patrols per shift going past the building, logging that activity, but also identifying if there's anything that seems out of place and taking appropriate action. We've also been in touch with Turners Falls Hydro, and they have agreed to let us know when they are entering their premises to do business so that we always have a sense if anyone is in the building who would be expected to be in the building as they own that space and operate it. They'll be calling into dispatch and providing that notification as they make use of the facility. That really clarifies things for Emergency Services personnel. On top of that, Tom's staff, specifically Jim Whiteman, working with Mr. Stevens and also Mr. Jensen, have been doing some initial work in securing the building. They've boarded up three doors that were viewed as the most obvious points of entry for people who have been getting in, and they've developed a materials list of supplies and picked up materials last week, so they are now very actively remediating the most obvious points of access, holes and issues with the floor that are appropriate for sort of small-scale labor to address, saving bigger issues for a contract. And they're going through the complex, identifying the various safety concerns and issues and doing a window count, so that we will be able to put together an RFP, or actually probably most like an Invitation for Bid that would assure us the lowest price for the work. I spoke today to Chief Zellman. He felt satisfied that the Town is very serious in its pursuit of a remedy to the problems that exist there. Dave is out this week, but we're getting everything positioned so we can get that bid out. And David is also working with a contractor to give us at

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least a rough preliminary estimate, so that if we don't have the bids in by the time of the Special Town Meeting, we at least have a decent sense of what the work is likely to cost.

Discussion ensued regarding there being no obvious signs of any visitors staying in the building.

Ellis: Turners Falls Hydro and its predecessor organizations have begun to remove some materials - those predecessor organizations that owned the property before Eagle Creek did, had there in storage. There are some complexities to this because there's an operating unit within the building, and so we're working with them. We'll also engage with Charlie Blanker, whom we've already had preliminary conversations with, to ensure that there's still appropriate access to certain elements of Turners Falls Paper's operation actually run in a small section of the building under Strathmore.

Singleton expressed some concern that, through conversations with the Fire Chief, there seems to be a lack of consistent communication in terms of "where are we now in terms of what I said two months ago."

Ellis: Often times I think the response to the building's condition has come into sort of a moment of crisis that might be precipitated by water sprinklers breaking down or something that creates a level of observation and awareness of the building. The Town puts significant effort into things such as repairing the sprinklers, repairing the roofs, and removing the rather extraordinary amount of paper and debris. Our goal is to have great communication moving forward, and I think that we have the Chief's attention and he has our attention on this issue in particular, and our goal is to remediate the hazard, preserve the building as best we can for whatever it's future use or fate may be.

Kuklewicz: The challenge is that with limited budgets, there's always that trade-off, and how do you tackle it, and quite a bit had been done, and then, you're right, it does seem to kind of languish somewhat. We're trying to work with the Town and with the constraints of the Town, but certainly with the recent issue and the near-tragedy and the fire at the other mill building, it's raised a level of awareness and I think that the commitment from this Board is to try to render that building safe and to limit entry.

Ellis: While it may not help its marketing in the immediately term, it also will protect the building from escalating or accelerating deterioration. So this move does not seal the fate of the building in one direction or another. It protects the public and it protects the building in the immediate term, which needs to happen.

Kuklewicz: It could actually make it more viable for redevelopment if we address the issues that were requested, keeping the weather out, keeping the windows secure. I think the key is to try to find somebody when the time is appropriate to redevelop it, that we can have preserved what's left of the building.

Topics not anticipated in the 48 hour posting requirements.

- Ellis stated that a lot of people have expressed concern about the green bridge by Strathmore and the hump that is formed there. It is a State-owned bridge, and people at the DPW did make inquiry to the State, and were told that they are aware of and acknowledge that there is an issue there, and that they are looking at what a potential design might be.
- Kuklewicz stated that another big challenge is the General Pierce Bridge in Montague City. Ellis stated that the State intends to put some restoration/renovation of that bridge on the FY19 advertisement schedule, and that there will be a first conversation with the State happening in early February.
- The Greenfield Savings Bank is having an event on Saturday, January 28th from 10:00 to 11:00 o'clock. Scott Cote, the Franklin Country Registrar of Deeds, and is going to share an updated look of his department and the services and information that they provide for area residents and homeowners. He will answer questions about the Homestead Act and give people a chance to find out how easy it can be to add such protection.
- On April 22nd, the Upper Pioneer Valley Veterans Services District is sponsoring a Town Hall event at Greenfield Community College from noon to 4:00, covering diseases and issues resulting from Agent Orange exposure.

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Executive Session under G.L. c 30A, Section 21 (a)(3) to discuss potential litigation, Regarding Penta Corporation, Votes may be taken

Kuklewicz declares holding in open session will be detrimental to the public good

Nelson makes the motion to go into executive session at 8:26 PM under G.L. c 30A, Section 21 (a)(3) to discuss potential litigation, Regarding Penta Corporation, Votes may be taken. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Executive Session under G.L. c 30A, Section 21 (a)(3) to discuss collective bargaining strategy with respect to IBPO. Votes may be taken.

Kuklewicz declares holding in open session will be detrimental to the public good

Nelson makes the motion to go into Executive Session under G.L. c 30A, Section 21 (a)(3) to discuss collective bargaining strategy with respect to IBPO. Votes may be taken. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Executive Session under G.L. c 30A, Section 21 (a)(3) to discuss collective bargaining and litigation strategy with respect to the representation petition filed by the New England Police Benevolent Association, Inc. (NEPBA) at the Commonwealth of Massachusetts Division of Labor Relations, MCR-17-5728. Votes may be taken.

Kuklewicz declares holding in open session will be detrimental to the public good

Nelson makes the motion to go into Executive Session under G.L. c 30A, Section 21 (a)(3) to discuss collective bargaining and litigation strategy with respect to the representation petition filed by the New England Police Benevolent Association, Inc. (NEPBA) at the Commonwealth of Massachusetts Division of Labor Relations, MCR-17-5728. Votes may be taken. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye