

**SELECTMEN'S MEETING
UPSTAIRS MEETING ROOM
1 AVENUE A, TURNERS FALLS, MA
MONDAY, February 6, 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 January 30, 2017

Nelson makes a the motion to approve the minutes of January 30, 2017. Seconded by Boutwell, unanimously approved. 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 the time allotted for public comment

None.

Bob McDonald, WPCF Superintendent, FY2017 Sewer Abatement

Nelson makes the motion to abate the first half of the FY2017 Sewer Bill for 25 Third Street, Turners Falls to \$280.00. Seconded by Boutwell, approved unanimously. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

Nelson makes the motion not to abate the first half of the FY2017 Sewer Bill and to abate the second half of the bill for 8 Unity Street, Turners Falls. Seconded by Boutwell, approved unanimously. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

Nelson makes the motion not to abate the first half of the FY2017 Sewer Bill and to abate the second half of the bill for 133 Third Street, Turners Falls. Seconded by Boutwell, approved unanimously. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

Nelson makes the motion not to abate the first half of the FY2017 Sewer Bill and to abate the second half of the bill for 15 Fifth Street, Turners Falls. Seconded by Boutwell, approved unanimously. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

Nelson makes the motion to abate the FY2017 Sewer Bill of 12 Central Street, Turners Falls to \$92 as requested. Seconded by Boutwell, approved unanimously. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

Nelson makes the motion to abate the FY2017 Sewer Bill of 216 Millers Falls Road, Turners Falls by \$3,564 and set the bill to a total of \$36. Seconded by Boutwell, approved unanimously. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

Nelson makes the motion to abate the first half of the FY2017 Sewer Bill of 78 Eleventh Street, Turners Falls by one-half down to \$192. Seconded by Boutwell, approved unanimously. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

Jeremy Dillensneider, Chris Pinardi, and Jeff Singleton

Request to place a non-binding public policy question on the May 15, 2017 election ballot regarding a change in the Indian logo of the Turners Falls High School

Kuklewicz: I'm going to limit discussion strictly to whether or not we put this on the ballot. This meeting has nothing to do with whether the Selectboard is in favor of or opposed to the mascot or the logo. This is simply whether the Board is willing to entertain the request of the petition that was presented to the Board of which ten signatures were validated. There were approximately 300 signatures on the petition we saw, according to Town Clerk. Ten were verified. Thus we put this on the agenda. The best way to discuss this is for one of the proponents of the non-binding referendum to explain to us why in two and a half minutes,. Then one representative from folks who want us to know why we should not put this on the agenda will have two and a half minutes, no longer.

Singleton: The basic proposal under State Law Chapter 53, section 18A is that the Selectboard can put it on based on a request by ten voters. If the Selectboard chooses not to do that, we can get 10% of the voters in the town and it will go on. This is an advisory question, it's non-binding, it doesn't force the school committee to do anything. The wording says, "We advise the Turners Falls High School to retain its Indian logo, but alter the image to be more

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consistent with indigenous cultures in our region. We also advise the Gill-Montague School District to implement this change in conjunction with the expansion of its curriculum to include Native American history and culture collaborating with tribes of Indian organizations in the region in this effort." One of the things we're trying to do is maintain the tradition, but alter, update, and modernize it based on some of the criticisms we have heard. This is not designed to short-circuit the school committee or to change the school committee process. In the end they're going to make this decision. But we very strongly feel that the opinions and feelings of the people in this community should be listened to, and the best way we can see of expressing it is a non-binding referendum. The final point I would like to make is I think many of us in the pro-mascot movement feel that the people that want to change this mascot should get out into the community and talk to people. This is the mechanism to encourage some of you to do that.

Detmold: It's wonderful that more and more people are beginning to understand the amazing job that Frederick Douglas has been doing. But if we had put black child slavery to a referendum in many states in this country, Black Americans would still be in bondage today. Ten percent of the people in this country would not have the right to marry if we had put gay marriage to the referendum. As of the 2010 census, there are ten Native Americans living in Montague, and there are thousands of white alumni and friends of alumni of the Turners Falls High School. The majority of Montague is in favor of keeping the Indian logo. We have a representative form of government here in Montague, and it is the responsibility of our leaders to balance the passions of the majority against the rights of the minority. School committee has gone through a very thorough and careful process and listened deeply to all the sides, studied all studies that are available on this issue, and heard from the Native American tribes in the area who uniformly reject the continued use of the Native American mascot. We urge you as our representatives to reject this attempt to put the rights of the minority to a majority vote and protect the rights of the minority.

Nelson: If this were to not pass tonight and if they were not able to get 600 signatures, when would be the last possible day that they could submit to this Board for a request to be on the Town Meeting?

Ellis: At least 35 days prior to May the 15th. As I understand it, the 90th day prior is an important deadline for anyone who would seek to petition to be on the ballot. With the support of the Board of Selectmen, this group or another group could pursue getting it on the ballot subsequent to the cut-off date, February 14 or 15 depending on how you count the day of the election itself. With the power of ten petitioners, if you choose to petition and go the 10% route, you must've submitted that first-level petition, which you received today, approximately eight or nine days ahead of that 90-day deadline.

Boutwell: My thought is that this whole process isn't the Town of Montague's, it's actually the school committee's.

Kuklewicz: It's the school committee's decision, that's for sure. As the Selectboard, we could say we're okay with it going on as a non-binding referendum. That doesn't mean that's its approval or disapproval. It just means that we're facing the reality that a group of petitioners has already garnered roughly 300 signatures. They certainly would have plenty of time to gather an additional 300. So the question is what effort then do we want to have our town staff undertake to approve or review 600 signatures? I spoke to our Town Clerk earlier this evening, and she was gracious enough to say she would be glad to verify the signatures. It would take her and her assistant about two days to do that. So if they do garner the 600 signatures, do we want staff to spend two days counting names?

Nelson: I'm kind of upset that the school committee hasn't taken the steps of having a vote, just to take the temperature of what people are thinking. I think it would be very important to get that voice heard and see really what those levels are.

Ellis: I'm not sure what their mechanism for doing so would be, whether they're empowered under the same statute. It's been suggested to me that they may not have the same recourse available as we do. Whether they could use an all-district meeting, which would be representative of everyone that showed up might be a different question.

Discussion ensued about what the costs to the town would be, and Nelson stated that it would cost thousands to hold a vote in a special election.

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Nelson makes the motion to put the requested article as a non-binding vote on the May 15, 2017 Montague May election with the understanding that the Board may consider further items should they be requested regarding the mascot to be put on the agenda. Boutwell seconded, unanimously approved. Nelson - Aye, Boutwell - Aye, Kuklewicz - Aye.

Personnel Board

Appoint Bryce Molnar. Reserve Police Officer, Grade: Reserve Ofc. Step 1, \$14.50/hour effective February 6, 2017

Nelson makes the motion to appoint Bryce Molnar as Reserve Police Officer, Grade: Reserve Ofc. Step 1, \$15.00/hour effective February 6, 2017. Seconded by Boutwell, approved unanimously. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

Town Administrator's Report

Appoint Bob Macewicz to Public Works Facility Planning Committee until June 30, 2017

Nelson makes the motion to appoint Bob Macewicz to Public Works Facility Planning Committee until June 30, 2017. Seconded by Boutwell, approved unanimously. Boutwell - Aye, Nelson - Aye, Kuklewicz - Aye.

Feasibility of re-establishing two-way traffic over the Sixth Street Temporary Bridge to Power Street by Railroad Salvage

Ellis reported that he had checked into the feasibility of re-establishing two-way traffic over the Sixth Street temporary bridge to Power Street by Railroad Salvage. It was met with support from the Chief of Police and the Highway Superintendent. Power would have to be re-established to the signal so that an assessment of whether or not the signal is functioning properly can be done. The Electrical Inspector will also need to do an inspection.

Update Signature Page to continue to receive funds through 2022 for the DEP Grant Program after June 30, 2017

Nelson makes the motion to update the signature page to receive funds through 2022 for the DEP Grant Program by appointing the Chair of the Board of Selectmen, presently Rich Kuklewicz, and the Town Administrator Steve Ellis, as authorized signatories. Kuklewicz seconded, approved. Nelson - Aye, Kuklewicz - Aye, Boutwell - Abstain.

Penta Mediation Update

There has been no resolution as of yet. Ellis expects to have a report back in approximately three weeks, at which time because the conversation would need to be in Executive Session.

Other

The next regularly scheduled Selectmen's Meeting will be held on Monday, February 13, 2017 at 7:00 p.m. at the Montague Town Hall, 1 Avenue A, Turners Falls, MA. The snow date would be Tuesday, February 14.

Nelson makes the motion to adjourn the meeting at 7:36 p.m. Seconded by Boutwell, unanimously approved. Nelson - Aye, Boutwell - Aye, Kuklewicz - Aye.

List of Documents and Exhibits:

- Minutes of January 30, 2017
- FY2017 Sewer Abatement Listing
- Request to place a non-binding question on 5/15/17 election ballot
- Appointment form: Bryce Molnar, Reserve Officer, Grade Reserve Ofc. Step 1, \$14.50/hour effective 2/6/17
- Appointment form for Bob Macewicz, Public Works Facility Planning Cmte
- DEP Grant signature page