

**SELECTMEN'S MEETING AGENDA
UPSTAIRS MEETING ROOM
1 AVENUE A, TURNERS FALLS, MA
MONDAY, April 9, 2018
-Subject to Change-**

Topics may start earlier than specified, unless there is a hearing scheduled

Meeting Being Taped

Votes May Be Taken

1. 7:00 PM Approve minutes of April 2, 2018 if available
2. 7:00 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
3. 7:01 Liquor License Hearing
 - Secondhand Smoke, Inc. d/b/a North Village Smokehouse, Sean C. Keller as manager, has applied for the transfer of the All Alcoholic Beverages Liquor License (Restaurant) from Pioneer Tavern, Inc., the licensed premises is located at 32 Federal Street, Millers Falls, MA
4. 7:10 Peter Chilton, Nova Motorcycle
 - Use of Public Property, (East alley between property at 151 3rd St. and ball field, also north alley to end of property): Vintage Motorcycle Road Rally and Ride, May 5, 2018, 8:00 AM to 8:00 PM
5. 7:15 Kelly Lehtomaki, Newt Guilbault Little League
 - Use of Public Property, (TFHS, left onto Turnpike Rd; Right onto Montague Street, end at ball fields): Opening Day Parade for Newt Guilbault Little League, April 22, 2018, 11:00 AM to 12:00 PM
6. 7:20 Request for Transfer from the Reserve Fund
 - Request for \$2,000 to be transferred into ZBA Advertising account, present balance (\$693.42)
7. 7:25 Request Town Clerk place the DPW Highway Garage article on the Annual May 21, 2018 Town Election as a ballot question
8. 7:30 Tom Bergeron, DPW Superintendent
 - Green Mountain Pipeline Services: Sanitary Sewer Rehab – Montague City Road and Upper Turnpike Inceptors, Request Time extension of two weeks, project substantially complete by April 20, 2018
9. 7:35 Execute contract with Sandstone Construction, Inc. for the Montague ADA Sidewalk Improvement Project, \$53,446.20
10. 7:40 Personnel Board
 - Review Cultural Coordinator Job Description

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- 11.7:50 Walter Ramsey, Town Planner
- Consider Interim Recreational Marijuana Establishment License Application Policy
 - Corrective Action Design Permit Application for Sandy Lane Burn Dump
- 12.8:00 Record of Executive Session votes taken at April 2, 2018 meeting
- 13.8:05 Town Meeting Warrant – To approve and execute draft warrants, Attached hereto
- May 5, 2018 Special Town Meeting Warrant
 - May 5, 2018 Annual Town Meeting Warrant
- 14.8:15 Town Administrators Business
- Discussion of Labor Counsel Options in FY2019
 - Consider and Sign letter of Support for the Town's Petition to the General Court for one additional all alcohol on premises liquor license to be exercised and located at 42 Canal Road, Turners Falls
 - Southworth Bankruptcy Proceedings
 - Topics not anticipated in the 48 hour posting requirements
- 15.8:30 Executive Session under G.L. c.30A, §21(a)(3) to discuss potential Litigation concerning Baltazar; votes may be taken.
16. 8:40 Executive Session under G.L. c 30A, §21 (a)(3) to discuss potential litigation concerning Southworth Company's Bankruptcy filing, Votes may be taken
- 17.8:50 Anticipated executive session pursuant to G.L. c. 30A, §21(a)(7), to comply with, or act under the authority of any general law; specifically to review draft minutes from executive sessions conducted on dates set forth in the attached listing

The next regularly scheduled Selectmen's Meeting will be held on Monday, April 23 2018, 7:00 p.m. at the Montague Town Hall, 1 Avenue A, Turners Falls, MA

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**ANNUAL TOWN MEETING
TOWN OF MONTAGUE
COMMONWEALTH OF MASSACHUSETTS
May 5, 2018**

Franklin, ss.

To either of the Constables of the Town of Montague in the County of Franklin:

GREETING:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of the Town of Montague qualified to vote in Town affairs to meet in the Turners Falls High School Theater on Saturday, May 5, 2018, at 9:00 A.M. and to act on the following articles and any motions which may be presented.

ARTICLE 1: To see if the Town will vote to receive and act upon the reports of the Officers of the Town and to receive the report of any committees and act thereon.

ARTICLE 2: To see if the Town will vote to authorize the Board of Selectmen, or other Town departments with the approval of the Board of Selectmen, to apply for and accept grants from the Federal Government, Commonwealth of Massachusetts, or any other source, and to expend the same for purposes received without further appropriation, or pass any vote or votes in relation thereto.

(Board of Selectmen Request)

ARTICLE 3: To see if the Town will vote to fix the salaries of all elected officials as required by law for the fiscal year beginning July 1, 2018, as set forth in Schedule I, Elected Officials, a copy of which is on file in the Office of the Town Clerk, or pass any vote or votes in relation thereto.

ARTICLE 4: To see if the Town will vote to fix the salaries of all appointed officials as required by law for the fiscal year beginning July 1, 2018, as set forth in Schedule II, Appointed Officials, a copy of which is on file in the Office of the Town Clerk or pass any vote or votes in relation thereto.

ARTICLE 5: To see if the Town will vote to amend the classification plan to add the position of Cultural Coordinator at Grade C as per a Memorandum of Agreement between the Town of Montague and the National Association of Government Employees (NAGE) dated TBD, or pass any vote or votes in relation thereto.

(Planning Department Request)

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ARTICLE 6: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$9,400,018 or any other amount, for the maintenance of the several departments of the Town, said sums to be allocated in accordance with Schedule III, Budget, a copy of which is on file in the Office of the Town Clerk, and for any other necessary changes, or pass any vote or votes in relation thereto.

ARTICLE 7: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$2,017,231 or any other amount, for the purpose of operating the Water Pollution Control Facility and associated pumping stations, said sums to be allocated in accordance with Schedule IV, WPCF Budget, a copy of which is on file in the Office of the Town Clerk, or pass any vote or votes in relation thereto.

ARTICLE 8: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$97,375 or any other amount, for the purpose of funding the operations, maintenance, and debt service of the Colle Building, or pass any vote or votes in relation thereto.

(Board of Selectmen Request)

ARTICLE 9: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$51,039 or any other amount, for the purpose of operating the Turners Falls Airport, or pass any vote or votes in relation thereto.

(Airport Commission Request)

ARTICLE 10: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$974,338 or any other amount, for the purpose of paying the Franklin County Technical School District for Montague's share of the assessment for the yearly operation of the Franklin County Technical School, or pass any vote or votes in relation thereto.

(Franklin County Technical School Request)

ARTICLE 11: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$9,811,160 or any other amount, for the purpose of paying the Gill-Montague Regional School District for Montague's share of the assessment for the yearly operation of the Gill-Montague Regional Schools, or pass any vote or votes in relation thereto.

(Gill-Montague Regional School District Request)

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ARTICLE 12: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$12,000 or any other amount, for the purpose of purchasing and installing a double door security entrance with window or camera system at Hillcrest Elementary School, including any and all incidental and related costs, or to pass any vote or votes in relation thereto.

(Gill-Montague Regional School District Request)

ARTICLE 13: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$72,000 or any other amount, for Montague's share of purchasing and installing upgrades to the Building Management Systems at the Great Falls Middle School and Turners Falls High School, including any and all incidental and related costs, or pass any vote or votes in relation to.

(Gill-Montague Regional School District Request)

ARTICLE 14: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$30,000 or any other amount, for the purpose of purchasing and installing an intercom system at the Sheffield Elementary School, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(Gill-Montague Regional School District Request)

ARTICLE 15: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$25,000 or any other amount, for the purpose of purchasing and installing an intercom system at the Hillcrest Elementary School, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(Gill-Montague Regional School District Request)

ARTICLE 16: To see if the Town will vote to authorize the Board of Selectmen to enter into a lease with the Gill Montague Regional School District not to exceed fifteen (15) years and on such terms as the Board of Selectmen deems appropriate to allow the District to use the following described property, or pass any vote or votes in relation thereto.

The land together with the buildings presently known as the Hillcrest School (shown generally on Montague Assessor's Map 10, Lot 49), and Sheffield School (shown generally on Montague Assessor's Map 6, Lots 323, 324 and 325, and Map 10, Lot 22), along with their current and future improvements and uses thereon, all recreational areas, athletic fields, buildings (including but not limited to rooms, elevators, hallway storage areas and all aspects of the premises including structural and foundation

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components, exterior components, including glass, roof and roofing components, heating and ventilation or air conditioning components, pipes, conduits and wiring components, electrical components, sidewalks, parking, drainage systems and components, and elevators), and parking areas used in conjunction without limitation therewith.

(Board of Selectmen Request)

ARTICLE 17: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$20,000 or any other amount, for the purpose of purchasing, equipping and making major repairs to WPCF vehicles and equipment, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(WPCF Request)

ARTICLE 18: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$25,000 or any other amount, for the purpose of purchasing and installing new control panels and alarms at the Denton Street and Montague Center Pump Stations, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(WPCF Request)

ARTICLE 19: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$521,000 or any other amount, for the purpose of purchasing and installing a solar array at the Water Pollution Control Facility at 34 Greenfield Road, including any and all incidental and related costs, that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow such sum under G.L. c. 44 §7, or any other enabling authority, and to issue bonds and notes therefor, provided that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved hereunder in accordance with G.L. c. 44 §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; and further to authorize the Board of Selectmen to accept any State, Federal or private grant monies available for the project and to enter into any agreements and execute all documents necessary to effectuate the purposes of this vote, or pass any vote or votes in relation thereto.

(WPCF Request)

ARTICLE 20: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$30,000 or any other amount, for the purpose of exterior renovations to the Senior Center building at 62 Fifth Street including replacing the steps and landing, constructing side rails for same, and constructing a roof

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over the new landing, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(Council on Aging Request)

ARTICLE 21: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$100,000 or any other amount, for the purpose of purchasing, equipping, and making major repairs to DPW vehicles and equipment, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(Department of Public Works Request)

ARTICLE 22: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$15,000 or any other amount, for the purpose of funding information technology equipment, parts, accessories, software and installations, or pass any vote or votes in relation thereto.

(IT Administrator Request)

ARTICLE 23: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$7,000 or any other amount, for the purpose of developing a master plan for Montague Center Park improvements, or pass any vote or votes in relation thereto.

(Parks & Recreation Commission Request)

ARTICLE 24: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$30,000 or any other amount, for the purpose of funding and supporting the retention and storage of Town maps through a storage management system, including the payment of all costs incidental or related thereto, or pass any vote or votes in relation thereto.

(Board of Selectmen Request)

ARTICLE 25: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$150,000 or any other amount, for the purpose of repairs to and maintenance of the Colle building, including the payment of all costs incidental or related thereto, or pass any vote or votes in relation thereto.

(Board of Selectmen Request)

ARTICLE 26: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$37,811 or any other amount, for the purpose of increasing the GMRSD Stabilization Fund, or pass any vote or votes in relation thereto.

(Finance Committee Request)

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ARTICLE 27: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$121,726 or any other amount, for the purpose of increasing the Town General Stabilization Fund, or pass any vote or votes in relation thereto.

(Finance Committee Request)

ARTICLE 28: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$76,294 or any other amount, for the purpose of increasing the Town Capital Stabilization Fund, or pass any vote or votes in relation thereto.

(Finance Committee Request)

ARTICLE 29: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$50,000 or any other amount, for the purpose of increasing the Town OPEB Trust Fund, or pass any vote or votes in relation thereto.

(Finance Committee Request)

ARTICLE 30: To see if the Town will vote to accept the provisions of MGL c. 64L, §2 to establish a local option meals excise, or pass any vote or votes in relation thereto.

(Board of Selectmen Request)

ARTICLE 31: To see if the Town will vote to authorize the Board of Selectmen to enter into a permanent Preservation Restriction and maintenance agreement on the Colle Opera House Building located at 85 Avenue A in Turners Falls MA, should the Town of Montague be awarded a grant from the Massachusetts Preservation Project Fund. The Preservation Restriction shall be recorded under the provisions of MGL c. 184, § 31-33, or pass any vote or votes in relation thereto.

(Board of Selectmen Request)

ARTICLE 32: To see if the Town will vote to amend the By-Laws of the Town of Montague to change the title of the "Board of Selectmen" to the "Select Board" as follows, or pass any vote or votes in relation thereto.

1. Amend Article III, Section 4, by changing the title from "Selectmen" to "Select Board" and by adding the following clause to the beginning of the section: "There shall be a Select Board of three members elected for three-year overlapping terms. Such Select Board shall have all the powers and duties of a Board of Selectmen for purposes of any and all federal, state and local laws referring to Board of Selectmen

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or Selectmen, including but not limited to the Massachusetts General Laws, Code of Massachusetts Regulations and any bylaws and special acts applicable to the Town of Montague"; and

2. Delete the words "Board of Selectmen" and "Selectmen" in each place in which they appear and insert in their place the words "Select Board".

(Board of Selectmen Request)

ARTICLE 33: To see if the Town will vote in accordance with MGL c. 40, § 15 to authorize the Board of Selectmen to convey on terms and conditions as determined by the Board of Selectmen, an interest in the parcel of land containing 2.91 acres located on Federal Street and identified on the Town Assessor's Maps as Map 48, Lot 0148, which is further described in Franklin County Registry of Deeds Book 3733 Page 177 and referenced as "Lot 2" shown on a Plan of Land dated 9/26/2000 and recorded in Plan Book 105 page 57, including all land and structures thereon, or pass any vote or votes in relation thereto.

(Board of Selectmen Request)

ARTICLE 34: To see if the Town will vote to adopt a Resolution relative to energy policy: A resolution calling on the Massachusetts Legislature to Establish Greenhouse Gas Emissions Pricing to Curb Climate Change

**A Resolution Calling on the Massachusetts Legislature to
Establish Greenhouse Gas Emissions Pricing to Curb Climate Change**

WHEREAS, the scientific consensus firmly holds that catastrophic climate change is taking place and the burning of fossil fuels, with its resultant greenhouse gas (GHG) emissions, is among the chief contributing factors; and

WHEREAS, the climate crisis is a serious threat to current and future generations here in the Town of Montague, and all over the world; and

WHEREAS, free markets operate most efficiently when individuals and corporations are responsible for the costs of their actions, and these markets offer a fertile environment for creation of economical services and products in the areas of conservation, efficiency, and renewable energy, to allow us to wean ourselves off fossil fuels; and

WHEREAS, price changes shift behavior by establishing GHG pricing that can spur innovation of more climate-friendly ways to provide and consume goods and services; and

WHEREAS, prices for fossil fuels do not reflect the cost of health impacts, climate change,

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and other environmental degradations that are associated with pervasive fossil fuel use and GHG emissions; and

WHEREAS, state and federal policies have differentially subsidized renewable and non-renewable energy; and

WHEREAS, Massachusetts is one of nine New England and mid-Atlantic states which in 2014 implemented a market-based policy, the Regional Greenhouse Gas Initiative, to reduce greenhouse gas emissions in the electric sector, which has successfully contributed to substantial decreases in greenhouse gas emissions in the electric sector; and

WHEREAS, in June 2017, the Massachusetts legislature's Joint Committee on Telecommunications, Utilities and Energy held a hearing on GHG emissions pricing proposals at which the testimony was strongly in favor of adding a form of GHG emissions pricing for all other (non-electric) energy sectors; and

WHEREAS, British Columbia implemented GHG pricing in 2008 and, according to a 2014 report in the *Economist*, British Columbia's economy is as strong as, and arguably better than, the rest of Canada while the GHG pricing is successfully driving environmental gains¹; and

NOW THEREFORE BE IT RESOLVED that the Town of Montague, Massachusetts strongly urges the Massachusetts Legislature to pass legislation that puts a gradually increasing fee on GHG emissions from fossil fuels to:

- Increase market incentives for non-electric energy sectors to lower greenhouse gas emissions;
- Make individuals and corporations accountable for the costs of their actions when they choose to use fossil fuels;
- Level the economic playing field between fossil fuels and conservation, efficiency, and renewable energy sources; and

BE IT FURTHER RESOLVED that we strongly support a provision in the GHG pricing legislation that ensures that the most economically vulnerable residents of Massachusetts are not caused any undue financial hardship because of the law.

BE IT FURTHER RESOLVED that the Administrative Assistant to the Town of Montague shall cause a copy of this resolution to be sent to MA Governor Charles Baker; State Treasurer Deborah B. Goldberg; MA Senate President Stanley C. Rosenberg; MA Speaker

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of the House Robert A. DeLeo; MA State Representative Stephen Kulik; MA Senate Chair of the Joint Committee on Telecommunications, Utilities and Energy (TUE), Senator Michael J. Barrett; House Chair of the TUE Committee, Representative Thomas A. Golden, Jr.; Senate Vice Chair of the TUE Committee, Michael Brady; House Vice Chair of TUE Committee, Frank A. Moran; all members of the Joint Committee on Telecommunications, Utilities and Energy: Senators Marc R. Pacheco, Anne M. Gobi, Joan B. Lovely, Bruce E. Tarr; and Representatives James M. Cantwell, Carolyn C. Dykema, Nick Collins, Josh S. Cutler, Adrian Madaro, Daniel Cahill, Joan Meschino, Leonard Mirra, and Randy Hunt; U.S. Senator Elizabeth Warren; and U.S. Senator Ed Markey,

or pass any vote or votes in relation thereto.

(Energy Committee Request)

Given under our hands this ____ day of April in the Year of Our Lord Two Thousand and Eighteen.

Michael Nelson

Christopher M. Boutwell, Sr.

Richard Kuklewicz, Chairman
Selectmen, Town of Montague

Franklin, ss Montague, MA April ____, 2018

Pursuant to the within warrant, I have warned the Inhabitants of the Town of Montague by posting attested copies of the same in a conspicuous place in each of the Post Offices, Libraries, and the Town Hall of the Town of Montague at least seven days before said meeting as within directed.

Constable of Montague

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**SPECIAL TOWN MEETING
TOWN OF MONTAGUE
COMMONWEALTH OF MASSACHUSETTS
May 5, 2018**

Franklin, ss.

To either of the Constables of the Town of Montague in the County of Franklin:

GREETING:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of the Town of Montague qualified to vote in Town affairs to meet in the Turners Falls High School Theater on Saturday, March 5, 2018, at **8:45 A.M.** and to act on the following articles and any motions which may be presented.

ARTICLE 1. To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$10,300 or any other amount for the purpose of funding the implementation of a collective bargaining agreement with the New England Police Benevolent Association for Fiscal Year 2017, with increases to be paid retroactively to July 1, 2016, or to pass any vote or votes in relation thereto.

ARTICLE 2. To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$28,300 or any other amount for the purpose of funding the implementation of a collective bargaining agreement with the New England Police Benevolent Association for Fiscal Year 2018, with increases to be paid retroactively to July 1, 2017, or to pass any vote or votes in relation thereto.

Given under our hands this 9th day of April in the Year of Our Lord Two Thousand and Eighteen.

Michael Nelson

Christopher M. Boutwell, Sr.

Richard Kuklewicz, Chairman
Selectmen, Town of Montague

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Franklin, ss Montague, MA April , 2017

Pursuant to the within warrant, I have warned the Inhabitants of the Town of Montague by posting attested copies of the same in a conspicuous place in each of the Post Offices, Libraries, and the Town Hall of the Town of Montague at least fourteen days before said meeting as within directed.

Constable of Montague

Anticipated executive session pursuant to G.L. c. 30A, §21(a)(7), to comply with, or act under the authority of any general law; specifically to review draft minutes from executive sessions conducted on dates set forth below:

Executive Session under G.L. c.30A, §21(a)(1)

10/23/17	To discuss the reputation, character, physical Condition or mental health, rather than professional competence, of an individual, or the Discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual
10/30/17	To discuss the reputation, character, physical Condition or mental health, rather than professional competence, of an individual, or the Discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual
12/18/17	To discuss complaints and potential Disciplinary action against a public officer, employee, staff member or individual