

**SELECTMEN'S MEETING
UPSTAIRS MEETING ROOM
1 AVENUE A, TURNERS FALLS, MA
MONDAY, June 4, 2018**

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

Approve minutes of May 16 and 22, 2018

Nelson makes the motion to approve the minutes of May 16, 2018. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to approve the minutes of May 22, 2018. Seconded by Boutwell, 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

Lew Collins, Between the Uprights, 23 Avenue A, Turners Falls

Execute 2018 License to Use Real Property Café License, 23 – 29 Avenue A, Turners Falls

Nelson makes the motion to Execute 2018 License to Use Real Property Café License, 23 – 29 Avenue A, Turners Falls Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Registration for Assembly, Public Demonstration, or Use of Public Property, and One day Special License:

BTU's 10th Anniversary Party, June 23, 2018, 9:00 AM to 10:00 PM

Nelson makes the motion to approve the Use of Public Property, and One day Special License on June 23, 2018 from 9:00 AM to 10:00 PM to Lew Collins, Between the Uprights, 23 Avenue A, Turners Falls and allow a special permit for the noise until 9:00 PM. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Great Falls Festival Celebration, October 20, 2018, 9:00 AM to 1:00 AM

Kuklewicz makes the motion to approve the Use of Public Property, and One day Special License on October 20, 2018 from 9:00 AM to 1:00 AM to Lew Collins, Between the Uprights, 23 Avenue A, Turners Falls and allow a special permit for the noise until 9:00 PM. Seconded by Nelson, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson – Abstain

Thanksgiving Eve, November 21, 2018, 6:00 PM to 1:00 AM

Nelson makes the motion to approve the Use of Public Property, and One day Special License for November 21, 2018 from 6:00 PM to 1:00 AM to Lew Collins, Between the Uprights, 23 Avenue A, Turners Falls and allow a special permit for the noise until 9:00 PM.. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Personnel Board

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Appoint Kyle Bessett, Heavy Equipment Operator, 40 hrs/wk, Grade C, Step 1, \$18.06/hour, effective June 4, 2018

Nelson makes the motion to appoint Kyle Bessett, Heavy Equipment Operator, 40 hrs/wk, Grade C, Step 1, \$18.06/hour, effective June 4, 2018. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye.
Kuklewicz informs the Board Kyle Bessett is his nephew in law

Appoint A. Joshua Dempsey, DPW Truck Driver/Laborer, 40 hrs/wk, Grade B, Step 1, \$16.78/hour, effective June 4, 2018

Nelson makes the motion to appoint A. Joshua Dempsey, DPW Truck Driver/Laborer, 40 hrs/wk, Grade B, Step 1, \$16.78/hour, effective June 4, 2018, seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Authorize Cell Phone Stipend for Mike Esposito, \$5.77 week

Nelson makes the motion to authorize the cell phone stipend for Mike Esposito at \$5.77/week. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Authorize Cell Phone Stipend for Brian Doolittle, \$5.77 week

Nelson makes the motion to authorize the cell phone stipend for Brian Doolittle at \$5.77/week. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Appoint Suzanne LoManto, Cultural Coordinator, 25 hrs/wk, Grade C, Step 3, \$19.35/hour, effective July 9, 2018

Nelson makes the motion to Appoint Suzanne LoManto, Cultural Coordinator, 25 hrs/wk, Grade C, Step 3, \$19.35/hour, effective July 9, 2018, seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Approve 5 hour reduction in hours, Michelle Welcome, Library Technician

Ellis: This will be revisited at a later date

Nelson makes the motion to approve the 5 hour reduction in hours for Michelle Welcome, Library Technician effective June 5, 2018. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Execute Agreement between Town of Montague and The New England Police Benevolent Association, Inc., Local 184, Police Officers in the Montague Police Department, Patrol and Detectives, 7/1/16 – 6-30-19

Nelson makes the motion to Execute Agreement between Town of Montague and The New England Police Benevolent Association, Inc., Local 184, Police Officers in the Montague Police Department, Sergeants, 7/1/16 – 6-30-19. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Execute Agreement between Town of Montague and The New England Police Benevolent Association, Inc., Local 184, Police Officers in the Montague Police Department, Sergeants, 7/1/16 – 6/30/19

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Nelson makes the motion to Execute Agreement between Town of Montague and The New England Police Benevolent Association, Inc., Local 184, Police Officers in the Montague Police Department, Sergeants, 7/1/16 – 6/30/19. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Bruce Hunter, FCRHRA

Authorization to Disburse No. 4 (Final), Invoice #'s: 0753596 & 0756404, Rutter's Park Design Project, Contractor: GZA GeoEnvironmental Inc., \$13,350.00

Nelson makes the motion to Authorize the Disbursement No. 4 (Final), Invoice #'s: 0753596 & 0756404, Rutter's Park Design Project, Contractor: GZA GeoEnvironmental Inc., \$13,350.00. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye.

Noise Hearing

Hubies Tavern, Inc. Shawn and Lynn Hubert

Boutwell recuses himself from this portion of the meeting

Kuklewicz: I've received several noise complaints from neighbors regarding the noise at Hubies and I wanted to discuss this. You don't need a meter if you can clearly hear music 200' away. I park near the pizza house or the corner by Avenue A and 2nd St.

- S. Hubert wants to direct each Board member and asks Boutwell to participate in the meeting.
- S. Hubert points out there is nothing in the noise regulation that says he has to keep doors or window closed.
- Discussion regarding visits made to Hubies by R. Kuklewicz and what the decibel limits were at the time. Kuklewicz stated he did not have a meter and it wasn't necessary as he was more than 200' away at times
- The Huberts state the door is never propped open and there is a disagreement over this
- Nelson states that up to two weeks ago, he didn't even know there were any issues. References email he received from Erin MacLean sent and it simply states they want Hubies to keep the door closed when the music is playing. He asks that the Huberts makes sure the door stays closed.
- Ashley (5 Eyed Fox) stated she feels it is not just between Erin and John. She has had here clientele leave their patio because of the noise; it is a problem because they share the alley.
- L. Hubert states she is there almost every night and does her best to keep the door closed and works hard for her business
- John MacNemera feels this seems to be a pattern that one person is singled out. They have a petition with 12 signatures and Erin has a document from the Executive Director at the Moltenbry that says the noise affects her tenants. He doesn't know why it has to be a fight, it's a neighborhood with residents and businesses; no one is more important than the other. He is asking for some common decency of watching over things. The music is loud, it's a problem in our apartment and our livelihood. He is just asking that the doors and windows always be closed. John is also asking that a door closure be put on the door so it shuts automatically. He does not feel the door is left open intentionally it's neglectful. Nothing has changed since the fall.

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- A. Elan reminds the board about the problem with the building's location and how the noise carries which was discussed at a previous meeting.
- E. MacLean states how she cares about Turners Falls and downtown Turners Falls, she has respect for people running businesses. Doing small things that would affect neighbors around the businesses would help and it's been difficult to communicate with them. It's a shame they can't communicate. Erin hates calling the police and Rich; but the noise can be mitigated and she is not out to hurt anybody and feels that they can figure out a way to work this out together.
- Nelson feels the issue is clearly when the door is open and wants to see door closures put on the doors.
- L. Hubert says the bartenders are trained not to have the doors open while the music is playing and asks about doors being open during the day. Kuklewicz responds that as long as it's not disturbing the peace.

Nelson makes the motion to require Hubie's Tavern to install an automatic door closure on the side and front door within 7 days and keep doors closed during the time when music could be considered excessive, this is a verbal warning and feels should continue to find the happy spot and we have made a lot of progress in two years. Boutwell seconds the motion. Approved by Nelson – Aye, Boutwell – Aye, Kuklewicz – NAY

Kuklewicz makes the motion to issue a first written warning to Shawn and Lynn Hubert dba Hubie's Bar and Tavern in violation of the Town of Montague Noise Ordinance. Seconded by Nelson. Kuklewicz – Aye, Nelson – Nay, Boutwell – Nay Motion defeated

Erin MacLean gives petition to Wendy Bogusz for the files

Walter Ramsey, Town Planner

Accept assignment of easement for slope stabilization and drainage improvements at Millers Falls Road from the Rocky River Realty Company

Ramsey: I'm here to ask the Board to accept the assignment of easement for slope stabilization and drainage improvements at Millers Falls Road (The area where the slope was stabilized a few years ago) the Town received a Federal grant to do the work and one of the outstanding items on that grant was the Town was required to obtain an easement on the property from Eversource. The land is in the process of being sold to Fish and Game and we need to make sure an easement is in place so the Town can continue to go in and make repairs as needed.

Nelson makes the motion to accept assignment of easement for slope stabilization and drainage improvements at Millers Falls Road from the Rocky River Realty Company. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Decommission the Public Works Facility Planning Committee and authorize the creation of the Public Works Facility Building Committee

Nelson makes the motion to Decommission the Public Works Facility Planning Committee and authorize the creation of the Public Works Facility Building Committee. Seconded by

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Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye With gratitude and thanks from the Board of Selectmen

Appoint the following individuals to the Public Works Facility Building Committee, until 6/30/20: Ken Morin, Jay DiPucchio, Mark Williams, Bob Macewicz, Mark Fairbrother, Jason Burbank, Ariel Elan, Pam Hanold and David Jensen

Peter Golrick expresses his concern that the notice for the new committee was not listed on the agenda. Feels the 49% of the voters are not included on the committee. The Board will vote this at their next meeting

Update on State MVP Grant Announcements

The Montague City Road Flooding Protection Project: Design and Permitting Project received a grant of \$33,750 and we have a year to get the work done. The request for money to support preliminary design of the South Street Bridge Retrofit and Floodplain Relief Culvert was not funded.

Chris Bonnett, Acting Police Chief

Execute Agreement by and between the Franklin County Sheriff's Office and the Town of Montague for Regional Dog Control Services, \$800

Boutwell makes the motion to Execute Agreement by and between the Franklin County Sheriff's Office and the Town of Montague for Regional Dog Control Services for 7/1/18 to 6/30/19, \$800. Seconded by Nelson approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Execute MOU between Gill-Montague Regional School District and the Town of Montague

There is a mutual discontinuance clause, the School finances 80% of the cost.

Nelson makes the motion to Execute MOU between Gill-Montague Regional School District and the Town of Montague regarding the school resource officer. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Miscellaneous Commendations

Bonnett reads letter of commendation into the record for Sergeant James Deery, Patrolman Jacob Lapean and Dispatcher Kyle Walker regarding event on May 10, 2017

Boutwell makes the motion to place the letter into each persons personnel file and post it online. Seconded by Nelson, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Bonnet reads letter of commendation into the record for Sergeant Leon Laster

Boutwell makes the motion to place the letter into Lee Laster's personnel file and post it online. Seconded by Nelson, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

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Executive Assistant Report

Common Victualer's License, Christine Kuzmeskus, dba CK Sandwiches, Subway Restaurant 57 Avenue A, Turners Falls, MA

Nelson makes the motion to approve the Common Victualer's License, Christine Kuzmeskus, dba CK Sandwiches, Subway Restaurant 57 Avenue A, Turners Falls, MA. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Kuklewicz – Aye, Nelson - Aye

Ann Fisk, 1st Congregational Church of Montague, use of Montague Center Common, Old Home Days; 8/11 – 8/20 (Event: 8/17 & 8/18)

Nelson makes the motion to approve the use of public property for Ann Fisk, 1st Congregational Church of Montague, use of Montague Center Common, Old Home Days; 8/11 – 8/20 (Event: 8/17 & 8/18). Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – aye, Kuklewicz - Aye

Police Chief Hiring: Weight of Assessment Center component vs. Education and Experience component

Nelson makes the motion to select 80% Assessment Center Exam and 20% Education and Experience for weighing candidates in the Police Chief hiring and to also clarify that we will be moving forward with Civil Service for hiring a new Police Chief. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

**Jeff Singleton, FRTA Representative
Report on FRTA Discussion of Route Changes**

Singleton reads his draft letter into the record

Rich feels Jeff should fix letter, would like to see us come to a route structure that is beneficial to towns in this area and encourages participation of all communities especially the larger ones (Greenfield and Orange) and pulls together a group of folks that are effected by the routes to hear their side of it so we can figure out how to best help everyone.

Nelson makes the motion to authorize the chair to work with Steve and Jeff to create a letter to send to FRTA. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Town Administrators Business

Accept and plan for locating plaque honoring Frank Abbondanzio

Suzanne LoManto: This was created for Frank about a 1-1/2 years ago and we hope this will be placed in Spinner Park North Wall when it is completed but that won't happen for about 2 years. Because it will be several years before it is installed, we'd like this to be installed somewhere in town hall in a safe manner. Jack Nelson will be contacted about this.

Nelson makes the motion to install the plaque in town hall in a safe manner until the eventual location at Spinner Park has been completed. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

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Allocate \$2,500 from Community Discretionary Unallocated (225-5-184-5200) to Community Discretionary Shea Theater (225-5-184-5240)

Nelson makes the motion to Allocate \$2,500 from Community Discretionary Unallocated (225-5-184-5200) to Community Discretionary Shea Theater (225-5-184-5240). Seconded by Boutwell, approved unanimously. Boutwell – aye, Nelson – Aye, Kuklewicz - Aye

Execute Agreement with Tris Metcalf for \$1,000 for research and recommendation related to developing specifications for the Shea Theater roof repair

Ellis: During emergency work on the Shea roof this past winter, heavy ballasts were moved into piles on the south side of the roof to locate the leaks. In addition the membrane is floating in places and would likely require more fastening than was envisioned in the original work. There were several panels beginning to bow and its required the DPW to rethink it's approach. The has been so much back and forth we thought this needs to be looked at closer so proper bid specs can be developed. I'm getting positive signals around the Colle Opera House window restoration and repositioning. From a scheduling perspective, if we can keep the Shea roof safe while windows on that side of the building are done, we should bet the Colle done first so we don't put the Shea Roof in jeopardy. I've asked the DPW to implement initial ideas to see whether it will withstand some time.

Nelson makes the motion to Execute Agreement with Tris Metcalf for \$1,000 for research and recommendation related to developing specifications for the Shea Theater roof repair. Seconded by Boutwell, Approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Approve Town Administrator recommendation to request FRHA assistance with FY19 CDBG Grant Application

Nelson makes the motion to request the FRHA assistance with FY19 CDBG Grant Application. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

ADA Transition Plan Update: Community Input Session to be held on Tuesday, June 12, at 2:30 PM at the Montague Senior Center, 62 5th Street, Turners Falls

Ellis announces the ADA Transition Plan Update: Community Input Session to be held on Tuesday, June 12, at 2:30 PM at the Montague Senior Center, 62 5th Street, Turners Falls

**Topics not anticipated in the 48 hour posting requirements
MassDOT Aeronautics Grant Award – Turners Falls Airport**

Brian Camden: A few weeks ago the Board signed off on some ASMP Programs and we have received the last one, approved for \$93,000 to install security fencing and signage from the Pioneer Aviation property, around the Industrial Park to the Tech School property. This is phase 2 of the project. Phase 1 started a couple years ago and there was archeological and USGS survey work that went along with the project. This is to install the fence with a 10 – 14 day construction. This can't wait to be put on an agenda due to time constraints as the project has to be finished by July 1st .

Kuklewicz: The big thing that happens when we take these grants, we become committed to continue with the Airport

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Camden: Every time we accept State or Federal funds, it restarts a window of 20 years that the airport cannot be closed or the money has to be re-paid. It would be \$13 - \$15 Million to pay back all the grants

Nelson makes the motion to allow the chair to sign the standard contract and grant assurances dated 5/31/18, Install 1,400 LF Fence and Gates, Project #2018-0B5-9, Grant # 0B5FENCON, \$93,000. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Other:

- Boutwell wants the Police Chief job description to be looked at and see if it needs to be changed

- Nelson takes a moment and sends out best wishes to the graduates including Chloe Ellis and Hannah Bogusz

Nelson makes the motion to adjourn the meeting at 9:24 PM. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye