

**SELECTBOARD MEETING AGENDA
UPSTAIRS MEETING ROOM
1 AVENUE A, TURNERS FALLS, MA
MONDAY, October 15, 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 Selectboard Minutes of October 1, 2018
2. 7:01 Public Comment Period: Individuals will be limited to two (2) minutes each and the Selectboard will strictly adhere to time allotted for public comment
3. 7:01 Pole Location Hearing
 - E. Taylor Hill Road: Install (4) jointly owned poles. The first to be set is #57/EI, placed approx. 160' west of the existing pole 57/1. The second pole to be set is #57/b3m to be placed approx. 160' east of existing pole 57/B3. The third to be set is 57/B4M, to be placed approximately 175' west of existing pole 57/B5, the fourth to be set is 57/B5M to be set approximately 160' east from existing pole 57/B5. Reason: Spans are too long need to set mid poles
4. 7:10 Bryan Camden, Airport Manager
 - Execute Grant Assurances, Turners Falls Municipal Airport; Purchase Snow Removal Equipment (SRE) AIP Project No. #3-25-0032-020-2018, Start Grant No. #OB5SREPLW, \$13,639.78
5. 7:18 Jon Dobosz, Parks & Rec Director and
 - Use of Public Property: Annual Sawmill River 10K Run, January 1, 2019, 7:00 AM to 2:00 PM (Montague Center Village Common and Streets)
 - Award of an AED unit, Susan Canning, Director of KEVS Foundation
6. 7:25 Chris Williams, Acting Police Chief
 - Request Civil Service List for 1 Reserve Officer
7. 7:30 Chris Boutwell, Montague War Memorial Committee
 - Use of Public Property: Annual Rag Shag Parade, October 31, 2018, 6:00 PM to 7:30 PM, (Aubuchon's parking lot, down Avenue A to Discovery Center Parking Lot)
8. 7:35 Tom Bergeron
 - Update on Millers Falls Road Embankment Failure
 - Possible award and execute contract for emergency embankment repair on Millers Falls Road

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9. 7:50 Walter Ramsey, Town Planner
- Award contract for “Design and Permitting of Roadway Flooding Protection at Montague City Road” to Wright-Pierce for a fixed fee amount of \$45,000 to be funded by a MVP Action Grant and Chapter 90 funds.
10. 7:55 Execute Corrected November 6, 2018 State Election Warrant attached herewith
11. 8:00 Town Administrators Business
- Update on Police Chief Hiring Process
 - Request to allocate \$126.01 from CD Discretionary Unallocated (225-5-184-5200) to CD Discretionary LP Bell and Bridge (225-5-184-5257)
 - Execute letters of support for proposed changes to State Land PILOT Reimbursement Program
 - Update on Owner’s Project Manager (OPM) Selection Process for the Public Works Facility Building Project
 - Set Date for FY19 Sewer Rate Hearing
 - Contract between Town and MCCI expires 3/18/19, not 9/1/18 as indicated previously.
 - Topics not anticipated in 48 hour posting
12. 8:20 Executive Session under G.L. c 30A, §21 (a)(3) to discuss potential litigation concerning Southworth Company, Votes may be taken

The next regularly scheduled Selectmen’s Meeting will be held on October 22, 2018 at the Montague Town Hall, 1 Avenue A, Turners Falls, MA

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**COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH**

WARRANT FOR THE STATE ELECTION

Franklin SS.

To the Constables of the Town of Montague

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of Montague who are qualified to vote in the State Election to vote at

Precinct No. 1, the Montague Center Precinct, the Montague Center Fire Station, 28 Old Sunderland Rd., Montague Center; Precinct No. 2, the Millers Falls Precinct, the Highland School Apartments Community Room, 446 Millers Falls Road, Millers Falls; Precinct No. 3, the upper hill section of Turners Falls, the Hillcrest School Auditorium, 30 Griswold Street, Turners Falls; Precinct No. 4, the second level of Turners Falls, the Hillcrest School Auditorium, 30 Griswold Street, Turners Falls; Precinct No. 5, downtown section of Turners Falls, Montague Senior Center, 62 Fifth Street, Turners Falls; Precinct No. 6, the South End and Montague City Precinct, the Public Safety Complex Community Room, 180 Turnpike Road, Turners Falls.

on **TUESDAY, THE SIXTH DAY OF NOVEMBER, 2018**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the candidates for the following offices and questions:

SENATOR IN CONGRESS.FOR THIS COMMONWEALTH
GOVERNOR and LIEUTENANT GOVERNOR.FOR THIS COMMONWEALTH
ATTORNEY GENERAL.FOR THIS COMMONWEALTH
SECRETARY OF STATE.FOR THIS COMMONWEALTH
TREASURER AND RECEIVER GENERAL.FOR THIS COMMONWEALTH
AUDITOR.FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS.SECOND DISTRICT
COUNCILLOR.EIGHTH DISTRICT
SENATOR IN GENERAL COURTHAMPSHIRE, FRANKLIN & WORCESTER DISTRICT
REPRESENTATIVE IN GENERAL COURT. FIRST FRANKLIN DISTRICT
DISTRICT ATTORNEY NORTHWESTERN DISTRICT
CLERK OF COURTS.FRANKLIN COUNTY
REGISTER OF DEEDS.FRANKLIN DISTRICT
COUNCIL OF GOVERNMENTS EXECUTIVE COMMITTEEFRANKLIN COUNTY

QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 2, 2018?

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SUMMARY**

This proposed law would limit how many patients could be assigned to each registered nurse in Massachusetts hospitals and certain other health care facilities. The maximum number of patients per registered nurse would vary by type of unit and level of care, as follows:

- In units with step-down/intermediate care patients: 3 patients per nurse;
- In units with post-anesthesia care or operating room patients: 1 patient under anesthesia per nurse; 2 patients post-anesthesia per nurse;
- In the emergency services department: 1 critical or intensive care patient per nurse (or 2 if the nurse has assessed each patient's condition as stable); 2 urgent non-stable patients per nurse; 3 urgent stable patients per nurse; or 5 non-urgent stable patients per nurse;
- In units with maternity patients: (a) active labor patients: 1 patient per nurse; (b) during birth and for up to two hours immediately postpartum: 1 mother per nurse and 1 baby per nurse; (c) when the condition of the mother and baby are determined to be stable: 1 mother and her baby or babies per nurse; (d) postpartum: 6 patients per nurse; (e) intermediate care or continuing care babies: 2 babies per nurse; (f) well-babies: 6 babies per nurse;
- In units with pediatric, medical, surgical, telemetry, or observational/outpatient treatment patients, or any other unit: 4 patients per nurse; and
- In units with psychiatric or rehabilitation patients: 5 patients per nurse.

The proposed law would require a covered facility to comply with the patient assignment limits without reducing its level of nursing, service, maintenance, clerical, professional, and other staff.

The proposed law would also require every covered facility to develop a written patient acuity tool for each unit to evaluate the condition of each patient. This tool would be used by nurses in deciding whether patient limits should be lower than the limits of the proposed law at any given time.

The proposed law would not override any contract in effect on January 1, 2019 that set higher patient limits. The proposed law's limits would take effect after any such contract expired.

The state Health Policy Commission would be required to promulgate regulations to implement the proposed law. The Commission could conduct inspections to ensure compliance with the law. Any facility receiving written notice from the Commission of a complaint or a violation would be required to submit a written compliance plan to the Commission. The Commission could report violations to the state Attorney General, who could file suit to obtain a civil penalty of up to \$25,000 per violation as well as up to \$25,000 for each day a violation continued after the Commission notified the covered facility of the violation. The Health Policy Commission would

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be required to establish a toll-free telephone number for complaints and a website where complaints, compliance plans, and violations would appear.

The proposed law would prohibit discipline or retaliation against any employee for complying with the patient assignment limits of the law. The proposed law would require every covered facility to post within each unit, patient room, and waiting area a notice explaining the patient limits and how to report violations. Each day of a facility's non-compliance with the posting requirement would be punishable by a civil penalty between \$250 and \$2,500.

The proposed law's requirements would be suspended during a state or nationally declared public health emergency.

The proposed law states that, if any of its parts were declared invalid, the other parts would stay in effect. The proposed law would take effect on January 1, 2019.

A YES VOTE would limit the number of patients that could be assigned to one registered nurse in hospitals and certain other health care facilities.

A NO VOTE would make no change in current laws relative to patient-to-nurse limits.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 2, 2018?

SUMMARY

This proposed law would create a citizens commission to consider and recommend potential amendments to the United States Constitution to establish that corporations do not have the same Constitutional rights as human beings and that campaign contributions and expenditures may be regulated.

Any resident of Massachusetts who is a United States citizen would be able to apply for appointment to the 15-member commission, and members would serve without compensation. The Governor, the Secretary of the Commonwealth, the state Attorney General, the Speaker of the state House of Representatives, and the President of the state Senate would each appoint three members of the commission and, in making these appointments, would seek to ensure that the commission reflects a range of geographic, political, and demographic backgrounds.

The commission would be required to research and take testimony, and then issue a report regarding (1) the impact of political spending in Massachusetts; (2) any limitations on the state's ability to regulate corporations and other entities in light of Supreme Court decisions that allow corporations to assert certain constitutional rights; (3) recommendations for constitutional amendments; (4) an analysis of constitutional amendments introduced to Congress; and (5) recommendations for advancing proposed amendments to the United States Constitution.

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The commission would be subject to the state Open Meeting Law and Public Records Law. The commission's first report would be due December 31, 2019, and the Secretary of the Commonwealth would be required to deliver the commission's report to the state Legislature, the United States Congress, and the President of the United States.

The proposed law states that, if any of its parts were declared invalid, the other parts would stay in effect. The proposed law would take effect on January 1, 2019.

A YES VOTE would create a citizens commission to advance an amendment to the United States Constitution to limit the influence of money in elections and establish that corporations do not have the same rights as human beings.

A NO VOTE would not create this commission.

QUESTION 3: REFERENDUM ON AN EXISTING LAW

Do you approve of a law summarized below, which was approved by the House of Representatives and the Senate on July 7, 2016?

SUMMARY

This law adds gender identity to the list of prohibited grounds for discrimination in places of public accommodation, resort, or amusement. Such grounds also include race, color, religious creed, national origin, sex, disability, and ancestry. A "place of public accommodation, resort or amusement" is defined in existing law as any place that is open to and accepts or solicits the patronage of the general public, such as hotels, stores, restaurants, theaters, sports facilities, and hospitals. "Gender identity" is defined as a person's sincerely held gender-related identity, appearance, or behavior, whether or not it is different from that traditionally associated with the person's physiology or assigned sex at birth.

This law prohibits discrimination based on gender identity in a person's admission to or treatment in any place of public accommodation. The law requires any such place that has separate areas for males and females (such as restrooms) to allow access to and full use of those areas consistent with a person's gender identity. The law also prohibits the owner or manager of a place of public accommodation from using advertising or signage that discriminates on the basis of gender identity.

This law directs the state Commission Against Discrimination to adopt rules or policies and make recommendations to carry out this law. The law also directs the state Attorney General to issue regulations or guidance on referring for legal action any person who asserts gender identity for an improper purpose.

The provisions of this law governing access to places of public accommodation are effective as of October 1, 2016. The remaining provisions are effective as of July 8, 2016.

A YES VOTE would keep in place the current law, which prohibits discrimination on the basis of gender identity in places of public accommodation.

A NO VOTE would repeal this provision of the public accommodation law.

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QUESTION 4: THIS QUESTION IS NOT BINDING

Single-Payer Health Care

Shall the state representative from this District be instructed to vote for legislation to create a single-payer system of universal health care that would provide all Massachusetts residents with comprehensive health care coverage including the freedom to choose doctors and other health care professionals, facilities, and services, and that would eliminate the role of insurance companies in health care by creating a publicly administered insurance trust fund?

YES _____

NO _____

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this _____ day of October, 2018, the Selectboard of Montague:

Richard J. Kuklewicz, Chair

Michael M. Nelson

Christopher M. Boutwell

Franklin, ss Montague, MA, October _____, 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.

_____, 2018.
Constable (month and day)

Warrant must be posted by **October 30, 2018**, (at least *seven days prior* to the **November 6, 2018** State Election).