

JOINT FINANCE COMMITTEE AND SELECTMEN'S MEETING MINUTES  
UPSTAIRS MEETING ROOM  
1 AVENUE A, TURNERS FALLS, MA  
April 12, 2017

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Chairman John Hanold opens the meeting

- Meeting was opened at 6:00 PM in the Upstairs Meeting Room
- **Finance Committee Members Present:** John Hanold, Fred Bowman, Michael Naughton, Chris Menegoni and Patricia Pruitt. Greg Garrison was absent
- **Selectmen Present:** Michael Nelson and Chris Boutwell. Richard Kuklewicz was absent.
- **Others Present:** Town Administrator Steven Ellis, Accountant Carolyn Olsen, Cemetery Commission member Judith Lorei, and David Detmold
- The Finance Committee Chair announced that the meeting is being recorded by MCCI, and asked if anyone else was recording the meeting. No one else was recording the meeting.

**Minutes -**

Selectmen Moved:

To approve the minutes of April 5, 2017.

Vote:   2   In Favor   0   Opposed   0   Abstained

Finance Committee Moved:

To approve the minutes of April 5, 2017.

Vote:   5   In Favor   0   Opposed   0   Abstained

**Dry Hill Cross Road Special Article**

The request is to Repair Dry Hill Cross Road to open vehicular traffic to the Dry Hill Cemetery Ms. Lorei provided written information and a map as follows:

Background

Dry Hill Cemetery is one of seven town cemeteries in Montague and is the only one that cannot be accessed by a vehicle. At this time, the easiest access to the cemetery is to walk the 1.1 miles from the East Chestnut Hill Road Trail Head. This means that those unable to walk to the site cannot visit the graves, veterans from the Soldier's Memorial Committee cannot place flags on Memorial Day (a protected right under MGL 115), and the cemetery caretaker cannot maintain the cemetery.

There are approximately 90 people buried at Dry Hill Cemetery. One stone dates back to 1799 (Quartus Benjamin). Two revolutionary war veterans are buried there: Ezra Anderson (a Montague Selectman) and Joel Benjamin. The Andersons, Bartletts, Benjamins and Paynes have several family members buried at Dry Hill.

Discussions about access to the cemetery are documented in Selectboard meeting minutes as far back as 1978. In 2004, the Selectboard declared that Montague had legal and moral obligation to restore access to the cemetery. In 2005, The Town of Montague and the Senn Family entered into a legal dispute and in 2006 the court determined that the section of road leading to the cemetery is a legal Town road. In 2007, the Town hired Stantec Consulting Services, Inc. to conduct a feasibility study to evaluate options available to the Town to provide access to the cemetery.

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The study proposed three different options: 1. reconstruct Dry Hill Road from Wendell Road to the Dry Hill Cemetery 2. improve Dry Hill Cross Road from East Chestnut Hill Road to Dry Hill Road north to the cemetery 3. initiate a land swap with the Senn family and reconstruct a section of Dry Hill road.

Recent events

Since that study, no official movement has occurred to create access. However, in 2016, the Turners Falls Water Department made significant improvements to the Dry Hill Cross Road. And a trail system was made possible by a Massachusetts Recreational Trails Program grant, Turners Falls Water Department and the Town of Montague with a trailhead kiosk installed at Dry Hill Rd off East Chestnut Hill Road. Then in fall 2016, The Cemetery Commission, The Historical Commission, a Veteran's representative and a few concerned citizens surfaced the vehicular access issue with Walter Ramsey and Tom Bergeron.

Walter, Tom and this group of citizens visited the site in October. It was determined that with the Water Department Road improvements, only 4/10ths of a mile of the Dry Hill Cross Road was in need of repair, the bulk of the work focused on ledge excavation. The DPW determined that the 2007 feasibility study citing \$79,000 repair could potentially be reduced to \$65,000 given recent improvements to the road and some materials that could be donated (this was our placeholder figure to the Finance Committee).

(Walter sent a letter to the Senn family in December, 2016 proposing a land swap. There was no response.)

The access issue was brought before the Selectboard in January, 2017. The Selectboard endorsed the request of this group to bring the issue to Town Meeting and asked the group to secure a current estimate(s) for the road repair.

In March, 2016 we learned that there are sensitive native relics on either side of the Dry Hill Cross Road and that blasting the ledge would be disruptive to those sites. The estimate we received included hammering rather than blasting.

Estimate

We received an informal estimate from CD Davenport and Trucking:

*Based on our conversations and a brief site walk, Davenport is willing to propose an estimated cost of \$90,000 to complete the work inquired about at Dry Hill Road. This cost includes hammering out and disposing of rock/ledge in roughly 10 areas, adding a gravel material (TRG or Dense graded crushed stone) and grading the existing/proposed access roadway over roughly 0.4 miles, and other associated costs such as mobilization. This estimate also takes into account prevailing wages.*

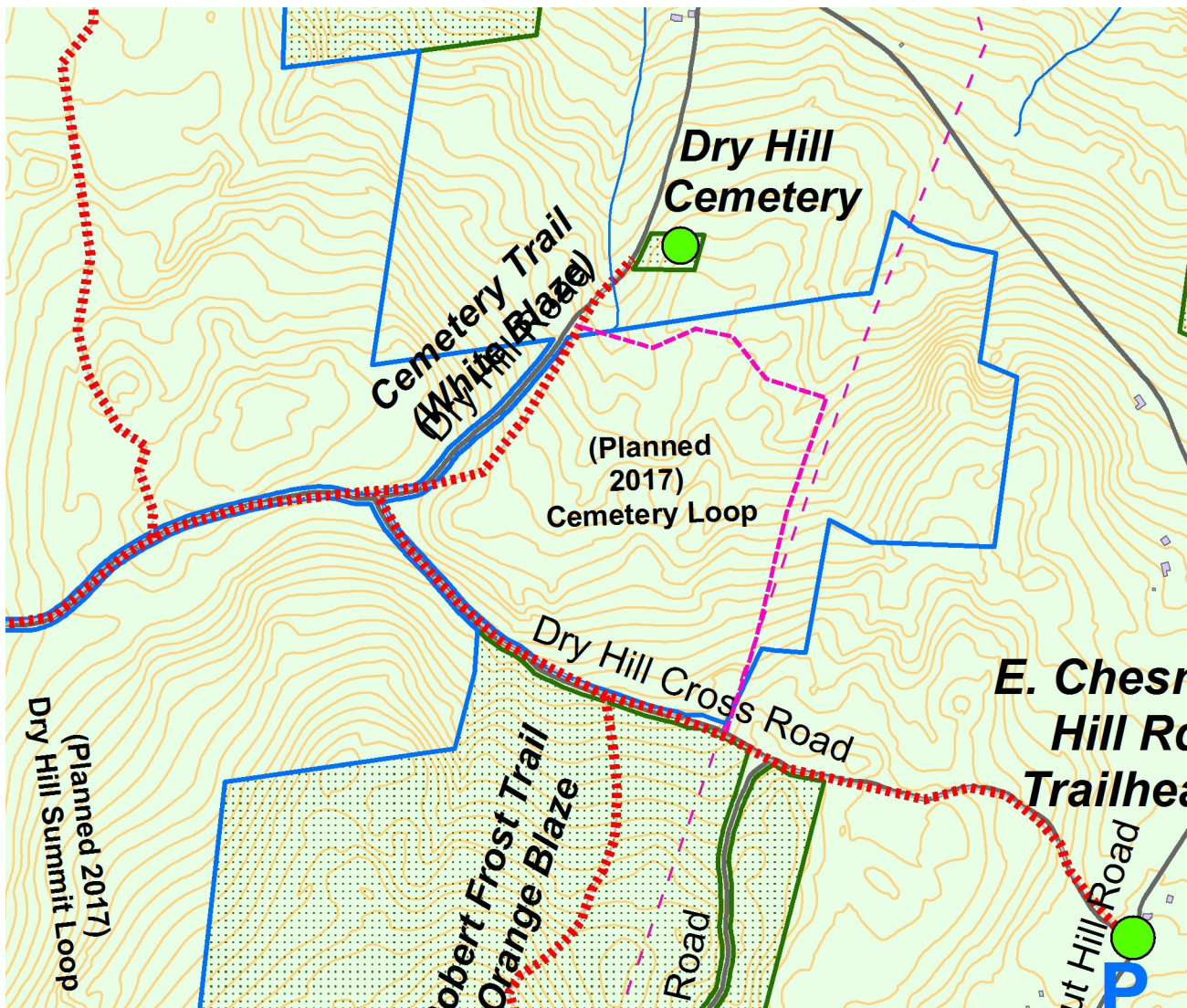
*Please note that this estimate is for planning purposes only, not for bid or construction.*

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Since this estimate, we have learned that the Turners Falls Water Department agreed to store the chipped stone from the ledge. Eliminating the need to truck debris off site and the need for storage would bring the estimate down to \$85,000, according to Davenport.

We attempted to secure another estimate before the Finance Committee meeting, however, the contractor was unable to provide the figures in time to meet the deadline.

Judith Lorei  
Montague Cemetery Commission  
April 11, 2017



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**Discussion**

Ms. Lorei thanked the Selectmen and Finance Committee for providing an opportunity to discuss the project.

- A study was done in 2007, which provided 3 options for access. The Town has done nothing since the study was presented.
- The Turners Falls Water Department (TFWD) recently worked on and improved Dry Hill Cross Rd.
- In the fall of 2016, Ms. Lorei, a representative from the Soldier's Memorial Committee, and Walter Ramsey went up to the cemetery in a DPW vehicle (with difficulty) to view the site.
- Ms. Lorei brought the issue to the Selectmen in January, and they advised her to get estimates to repair the road and they would endorse taking the project to town meeting.
- Estimates were delayed due to weather. One contractor provided an estimate of \$90,000, which could be reduced to \$85,000 by the Town and TFWD doing some work that would save money. A second contractor provided an estimate of \$10,500 immediately prior to tonight's meeting. There was concern that the cost variance might indicate that the scope of work was inconsistent between quotes.
- The TFWD owns land on both sides of Dry Hill Cross Road. Material from ledge removal could be stockpiled for future use by the TFWD, which would save removal costs. Montague DPW Superintendent Bergeron offered to have town equipment haul up any gravel needed. Mr. Bergeron was hesitant to do debris removal due to the potential damage to town equipment. These savings are accounted for in both estimates received.
- It was noted that the final road would not be easily drivable by a regular vehicle.
- Mr. Bowman reiterated that the Capital Improvements Committee did not endorse the article because they felt there was not enough information. Mr. Bowman will provide Ms. Lorei with a list of exactly what information he would like to see presented, which includes a breakdown of costs, specific list of materials to be used, how drainage will be addressed, and annual maintenance costs.
- A major issue is the 12 areas of protruding ledge that must be manually removed to provide any sort of reasonable access to the cemetery.
- Mr. Ellis said that he went up to the site on Monday with Town Planner Walter Ramsey to get a first-hand idea of the issues involved. Mr. Ellis noted the much better gravel road maintained by Eversource, and is pursuing the possibility of getting permission from Eversource to get access to their road for the limited and specific purposes of cemetery maintenance, placement of veterans flags, and visits to the cemetery by family members. Mr. Detmold noted that this road is very steep in places and may not be passable in many vehicles.
- Another solution would be a land swap or right of access granted by an abutting property owner. The previous owner was not interested in these options, but Mr. Ellis will contact the current owners to see if there is any interest now.
- There was general consensus that the issue needs to be resolved. There is the interest and momentum to bring a solution to town meeting.
- There was also general consensus that Ms. Lorei should not be bearing the brunt of the research and work, and that town staff would be in a better position to determine and assess options and to get cost estimates. Mr. Ellis will spearhead this project.

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- It was noted that one issue to be settle is exactly what quality of access will be sufficient.
- Given that there would not be time to adequately answer all of the questions by May 6<sup>th</sup>, it was decided to pursue this project at the fall special town meeting with the support of the Selectmen and Finance Committee to find a final resolution.

**Changes to Annual Town Meeting Warrant**

Selectmen Moved:

To replace the original Article 3 with:

**ARTICLE 3:** To see if the Town will vote establish the revolving fund set forth below for the fiscal year beginning on July 1, 2017 and to amend Article II of the Town of Montague General Bylaws by inserting a new section 7, pursuant to the provisions of Massachusetts General Laws Chapter .44, Section 53E½ as most recently amended by Section 86 of Chapter 218 of the Acts of 2016, establishing various revolving funds of the Town, specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend each fund, such bylaw to provide as follows:

Section 7: Revolving Funds

- (a) There are hereby established in the Town of Montague pursuant to the provisions of Massachusetts General Laws Chapter 44, Section 53E½, the following revolving funds:

<u>Revolving Fund</u>	<u>Spending Authority</u>	<u>Revenue Source</u>	<u>Allowed Expenses</u>
Hazardous Materials Response Planning Committee (a.k.a. SARA Title III Committee)	SARA Title III Committee	Fees collected from individuals responsible for oil and hazardous material spills.	For the purpose of cleaning up oil and hazardous material spills.

- (b) Expenditures from each revolving fund shall be subject to the limitations established by Town Meeting, and to any additional limitations as otherwise set forth in General Laws Chapter 44, §53E½.

And further, to see if the Town will vote to establish limitations on expenditures from the Hazardous Materials Response Planning Committee (a.k.a. SARA Title III Committee), up to a maximum of \$7,500, or pass any vote or votes in relation thereto.

Vote:   2   In Favor   0   Opposed   0   Abstained

Selectmen Moved:

To replace the original Article 5 with:

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**ARTICLE 5:** 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, 2017, 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.

Vote: 2 In Favor 0 Opposed 0 Abstained

Selectmen Moved:

To replace the original Article 14 with:

**ARTICLE 14:** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$22,850, or any other amount, for the purpose of increasing the amount appropriated under Article 8 of the September 29, 2016 Special Town Meeting, which appropriated \$60,000 for the purpose of restructuring the stage to add classroom space at Hillcrest Elementary School, or to pass any vote or votes in relation thereto.

Vote: 2 In Favor 0 Opposed 0 Abstained

Selectmen Moved:

To replace the original Article 15 with:

**ARTICLE 15:** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$35,000, or any other amount, for purchasing and installing valve automation, relocation of Variable Frequency Drives, and completing the SCADA Alarm system for the Water Pollution Control Facility, including any and all incidental and related costs, or to pass any vote or votes in relation to.

Vote: 2 In Favor 0 Opposed 0 Abstained

Selectmen Moved:

To replace the original Article 16 with:

**ARTICLE 16:** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$85,000, or any other amount, for the purpose of conducting a Feasibility Study, to be titled "Final Clarifier Upgrade/Raw Influent Bypass," or something similar, for the purpose of analyzing options for addressing sewer overflows, including but not limited to determining whether or not running an additional sewer line before the head works to the intake of the wet weather tank would help control flows during rain events, or to pass any vote or votes in relation thereto.

Vote: 2 In Favor 0 Opposed 0 Abstained

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Selectmen Moved:

To replace the original Article 18 with:

**ARTICLE 18:** 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 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.

Vote: 2 In Favor 0 Opposed 0 Abstained

Selectmen Moved:

To delete the original Article 19, which requested funding for a WPCF Pilot Test.

Vote: 2 In Favor 0 Opposed 0 Abstained

Selectmen Moved:

To replace the original Article 20 with:

**ARTICLE 20:** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$48,500, or any other amount, for the purpose of purchasing and equipping a utility truck for the WPCF, including any and all incidental and related costs, or to pass any vote or votes in relation thereto

Vote: 2 In Favor 0 Opposed 0 Abstained

Selectmen Moved:

To replace the original Article 22 with:

**ARTICLE 22:** 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 WPCF Stabilization Fund, or to pass any vote or votes in relation thereto.

Vote: 2 In Favor 0 Opposed 0 Abstained

Selectmen Moved:

To replace the original Article 23 with:

**ARTICLE 23:** To see if the Town will vote to authorize the Board of Selectmen and the Board of Assessors to negotiate and enter into a Payment in Lieu of Taxes Agreement known as a "PILOT" or "Tax Agreement" pursuant to the provisions of Massachusetts General Laws Chapter 59 Section 38H(b), or any other enabling authority, between the Town of Montague and FirstLight Hydro Generating Co., its successor, assignee or affiliate, on such terms and conditions and for such term as negotiated by the Board of Selectmen and the Board of Assessors, for payment in lieu of taxes related to personal and/or real property associated with an electric generation facility, all as set forth in said PILOT; and further to authorize the Board

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of Selectmen, the Board of Assessors and/or the Town Administrator to take such action as may be necessary to carry out the vote taken hereunder, or to pass any vote or votes in relation thereto.

Vote:   2   In Favor   0   Opposed   0   Abstained

Selectmen Moved:

To replace the original Article 24 with:

**ARTICLE 24:** To see if the Town will vote to authorize the Board of Selectmen to (i) lease, through one or more lease agreements, all or a portion of the parcels of land located at Sandy Lane, and identified as Assessors Parcels 13-0-68, 20-0-27, 21-0-006, 21-0-007, and 21-0-024, to Kearsarge Solar, LLC for the installation, operation, and maintenance of one or more renewable energy facilities for a term of up to 25 years commencing on the date on which such facilities achieve commercial operation, as determined by the Board of Selectmen; (ii) grant such easements on, over and/or under such parcels of land as necessary or convenient to serve the facilities; and (iii) take any actions and execute any other documents or ancillary agreements necessary, convenient, or appropriate to accomplish the foregoing and to implement and administer the lease agreements and easements, all of which agreements, easements and documents shall be on such terms and conditions and for such consideration as the Board of Selectmen deems in the best interests of the Town; or to pass any vote or votes in relation thereto.

Vote:   2   In Favor   0   Opposed   0   Abstained

Selectmen Moved:

To replace the original Article 25 with:

**ARTICLE 25:** To see if the Town will vote to authorize the Board of Selectmen and the Board of Assessors to negotiate and enter into a Payment in Lieu of Taxes Agreement known as a "PILOT" or "Tax Agreement" pursuant to the provisions of M.G.L. Chapter 59, Section 38H(b), or any other enabling authority, between the Town of Montague and Kearsarge Solar, LLC, its successor, assignee or affiliate, on such terms and conditions and for such term as negotiated by the Board of Selectmen and the Board of Assessors, for payment in lieu of taxes related to personal and/or real property associated with a solar renewable energy generation facility to be installed, owned and operated by such entity on land owned by the Town of Montague and identified as Assessors Parcels 13-0-68, 20-0-27, 21-0-006, 21-0-007, and 21-0-024, all as set forth in said PILOT; and further to authorize the Board of Selectmen, Board of Assessors and Town Administrator to take such action as may be necessary to carry out the vote taken hereunder; or to pass any vote or votes in relation thereto.

Vote:   2   In Favor   0   Opposed   0   Abstained



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Selectmen Moved:

To replace the original Article 27 with:

**ARTICLE 27:** 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 replacing and/or repairing roofing and trim at the Carnegie Library, including any and all incidental and related costs, or to pass any vote or votes in relation thereto.

Vote: 2 In Favor 0 Opposed 0 Abstained

Selectmen Moved:

To replace the original Article 28 with:

**ARTICLE 28:** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$45,000, or any other amount, for a Building Assessment Study of the Carnegie, Millers Falls, and Montague Center Libraries, including any and all incidental and related costs, or to pass any vote or votes in relation thereto.

Vote: 2 In Favor 0 Opposed 0 Abstained

Selectmen Moved:

To replace the original Article 29 with:

**ARTICLE 29:** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$3,500, or any other amount, for the purpose of purchasing and installing chain link fence in Highland Park, including any and all incidental and related costs, or to pass any vote or votes in relation thereto.

Vote: 2 In Favor 0 Opposed 0 Abstained

Selectmen Moved:

To delete the original Article 33, which requested the purchase of a flail mower.

Vote: 2 In Favor 0 Opposed 0 Abstained

Selectmen Moved:

To replace the original Article 34 with:

**ARTICLE 34:** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$76,000, or any other amount, for the purpose of purchasing and equipping a new one ton dump truck with plow, including any and all incidental and related costs, or to pass any vote or votes in relation to.

Vote: 2 In Favor 0 Opposed 0 Abstained

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Selectmen Moved:

To delete the original Article 37 regarding Dry Hill Cross Road from the warrant.

**ARTICLE 37:** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$85,000, or any other amount, to improve a section of Dry Hill Cross Road from approximately its intersection with East Chestnut Hill Road to the power lines for the purpose of establishing vehicular access to the Dry Hill Cemetery. This request includes any further improvements to Dry Hill Road from the approximate location of the intersection of Dry Hill Cross Road to the Cemetery, such as a parking turnaround that may be required for future annual maintenance of the cemetery or Dry Hill Road, including any and all incidental and related costs, or to pass any vote or votes in relation thereto.

Vote:   2   In Favor   0   Opposed   0   Abstained

Selectmen Moved:

To replace the original Article 40 with:

**ARTICLE 40:** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$5,000, or any other amount, for the purpose of funding the purchase of a new Town Website, including the purchase of software, licenses, parts and equipment, installation, training, and any and all incidental and related costs, or pass any vote or votes in relation thereto.

Vote:   2   In Favor   0   Opposed   0   Abstained

Selectmen Moved:

To replace the original Article 45 with:

**ARTICLE 45:** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$4,500, or any other amount, for the purpose of purchasing, installing and training on a new Public Records software and database package for the Town Clerk's office, including the payment of all costs incidental or related thereto, or to pass any vote or votes in relation thereto.

Vote:   2   In Favor   0   Opposed   0   Abstained

Selectmen Moved:

To renumber all articles as needed after deletions.

Vote:   2   In Favor   0   Opposed   0   Abstained

**BOS Adjourned at 7:06 PM**

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**Finance Committee Report To Town Meeting**

Mr. Hanold provided copies of a new, easier to review version of the Finance Committee Report to Town Meeting, with black red and blue sections. Black sections are non-controversial, red and blue represent successive improvements.

Minor editorial suggestions were provided and will be included into an updated version. Ms. Olsen will be responsible for revising and verifying all numbers and tables and adding the motions and votes prior to e-mailing to member for a final review next week.

Mr. Hanold noted that Mr. Naughton has created 3 pie charts that will be inserted into the report in the appropriate areas.

**Review Financial Policy Actions**

This year we were able to meet policy recommendations for transfers to various stabilization funds.

**Reconsider recommendations - none**

**Topics not anticipated within in the 48 hour posting requirements**

It was noted that potential items for a fall special town meeting include purchasing a flail mower for the DPW, funding a final solution for the cemetery access, funding the RiverCulture program, adding to the Town General Stabilization Fund, ratifying the final union contract, and funding tuition and transportation for a student who may be attending Smith Vocational,

**Finance Committee adjourned at 7:49 PM.**

**Next Meeting Dates:**

April 19, 2017	Final votes, reconsiderations, approve Finance Committee Report
May 3, 2017	Any pre-Town Meeting actions needed
May 6, 2017	Annual Town Meeting
May 10, 2017	Any post-Town Meeting actions needed

**List of Documents and Exhibits:**

- April 5, 2017 Minutes

**Minutes Approved April 19, 2017**

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John Hanold, Finance Committee Chair

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Richard Kuklewicz, Selectboard Chair