

**JOINT SELECTBOARD and BOARD OF HEALTH
MEETING NOTICE**

Due to COVID-19 Public Participation will be by:
Join Zoom Meeting: <https://zoom.us/j/92781836217>

Meeting ID: 927 8183 6217 Password: 304059

Dial into meeting: +1 646 558 8656 or +1 312 626 6799 or +1 301 715 8592

Monday, September 28, 2020

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

Meeting Being Taped

Votes May Be Taken

1. 6:30 PM Selectboard Chair opens the meeting, including announcing that the meeting is being recorded and roll call taken
2. 6:30 Board of Health Chair opens the meeting, roll call taken
3. 6:31 Approve Minutes:
 - Joint Selectboard and Board of Health, September 14, 2020
 - Joint Selectboard and Board of Health, September 21, 2020
4. 6:32 Public Comment Period: Individuals will be limited to two (2) minutes each and the Selectboard will strictly adhere to time allotted for public comment
5. 6:35 Pole Location Hearing
 - Millers Falls Road – Install one (1) jointly owned pole #134/58M on northern side of Millers Falls Road. To be located one hundred three (103) feet west of the centerline with Industrial Road and ninety-eight (98) feet east of existing pole #134/58
6. 6:40 Tom Bergeron, DPW Superintendent
 - Update on Millers Falls Road Embankment Repair
7. 6:45 COVID-19 Updates and Action Items
 - Review of any Updated State Guidance or Orders
8. 6:50 Suzanne LoManto, Asst. Town Planner
 - Announce Mass. Development “Resurgent Places” grant, \$6,500
9. 6:55 Jon Dobosz
 - Vote to accept gifts for Unity’s Community Garden
10. 7:00 Personnel Board
 - Appoint Christina Forde, WPCF Administrative Assistant, NAGE Grade B, Step 2 \$17.99/hr., 20 hrs. week, effective 10/5/20
 - Tree Advisory Committee Appointments: Jeffrey Warren and Annabel Levine, term until 6/30/21

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11. 7:05 Use of Public Property: Peskeompskut Park, Jan Doody, United Arc, Granparents Support Group, October 6, 2020 (raindate: 10/13/20), 11:30 AM – 2:00 PM

12. 7:10 Brian McHugh, Director of Community Development, FCRHRA
 - FY18 Montague CDBG Final Quarterly Report
 - Update on Spinner Park

13. 7:25 Town Meeting Warrant – To approve and execute October 13, 2020 Special Town Meeting Warrant (attached hereto)

14. 7:40 GMRSD Cares Act Request

15. 7:50 Town Administrator's Report
 - Capital Article Submission Schedule
 - DPW Project Update
 - Opportunity for Public Comment: Chapter 70 Local Contribution Study
 - Topics not anticipated in 48 hour posting

Upcoming Meetings:

- Joint Selectboard and Historical Commission, Executive Session, **Monday, September 28, 2020, 8:00 PM**
- Farren Care Center Public Hearing, **Wednesday, September 30, 2020, 6:00 PM**, dial in 888-390-5007, passcode: 7109512
- Selectboard Meeting, **MONDAY, October 5, 2020, 6:30 PM** via Zoom
- Special Town Meeting, **Tuesday, October 13, 2020, 6:30 PM**, Montague DPW Garage, 128 Turners Falls Road, Turners Falls

**SPECIAL TOWN MEETING
TOWN OF MONTAGUE
COMMONWEALTH OF MASSACHUSETTS
October 13, 2020**

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 Montague DPW Garage, 128 Turners Falls Road, Turners Falls, Massachusetts, on Tuesday, October 13, 2020, at 6:30 P.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 amend the vote taken under Article #6 of the June 13, 2020 Annual Town Meeting, which appropriated \$10,481,863 for the maintenance of the several departments of the Town, said sums to be allocated in accordance with Schedule III, Budget, by reducing the amount to be raised by taxation by \$109,000, so that the total amount raised by taxation is reduced from \$10,481,815.70 to \$10,372,815.70, and to amend **Schedule III: Town Operating Budget**, as shown on the **Revised Schedule III: Town Operating Budget**, set forth below, with all other line items remaining unchanged, or to pass any vote or votes in relation thereto.

Revised Schedule III: Town Operating Budget

Dept. #		Article #6 06/13/20 FY21	Revised FY21
	GENERAL GOVERNMENT		
151	Town Counsel	90,000	80,000
155	Information Technology	58,100	62,100
159	Shared Costs	72,759	74,759
190	Public Bldg Utilities	141,320	106,320
	HUMAN SERVICES		
543	Veterans' Services	98,400	88,400
	MISCELLANEOUS		
910	Employee Benefits	2,298,057	2,238,057
	Total Town Operating Budget	10,481,863	10,372,863

ARTICLE 2: 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 replacing the Council on Aging roof and any other necessary exterior repairs, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(Council on Aging Request)

ARTICLE 3: 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 hiring professionals to survey the parcels comprising Montague Center Park in support of its future redevelopment or use, and anything incidental or related thereto, or to pass any vote or votes in relation thereto.

(Parks & Recreation Commission Request)

ARTICLE 4: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$4,000, or any other amount, for the purpose of making necessary improvements to the Shea Theater fire protection system, and anything incidental or related thereto, or to pass any vote or votes in relation thereto.

(DPW Request)

ARTICLE 5: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$820.49, or any other amount, which represents the net premium paid to the Town upon the sale of the Town's \$5,785,000 DPW Facility Bonds dated January 22, 2020, to pay costs of the DPW facility authorized by the vote of the Town passed March 29, 2018, and to reduce the amount authorized to be borrowed for such project by such amount, as set forth in M.G.L. c. 44, §20 or any other applicable law, or pass any vote or votes in relation thereto.

(Accountant Request)

ARTICLE 6: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$12,500, or any other amount, for the purpose of purchasing and installing cable related equipment for MCTV and anything incidental or related thereto, or pass any vote or votes in relation thereto.

(Selectboard Request)

ARTICLE 7: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the following sums, or any other amount, for the purpose of increasing the special purpose funds set forth below, or pass any vote or votes in relating thereto.

Fund	Amount (\$)
Town General Stabilization Fund	61,507
Town Capital Stabilization Fund	200,259
OPEB Trust Fund	118,000
GMRSD Stabilization Fund	39,185
FCTS Stabilization Fund	68,000
Total:	486,951

(Finance Committee Request)

ARTICLE 8: To see if the Town will vote to transfer from Free Cash the sum of \$73,652, or any other sum, to the Town Capital Stabilization Fund, said sum representing the approximate amount collected by the Town from the assessment of the cannabis retail sales tax during fiscal year 2020; and to transfer from Free Cash the sum of \$35,791, or any other sum, to the Town Cannabis Impact Fee Stabilization Fund, said sum representing the approximate amount collected by the Town from the assessment of cannabis impact fees during fiscal year 2020; or pass any vote or votes in relation thereto.

(Finance Committee 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 \$50,000, or any other amount, for the purpose of increasing the Fiscal Year 2021 Reserve Fund budget, or pass any vote or votes in relation thereto.

(Finance Committee 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 \$82,000, or any other amount, for the purpose of obtaining engineering, design, permitting, bidding, oversight and construction services related to the capping of the former Montague Burn Dump, and anything incidental or related thereto, or pass any vote or votes in relation thereto.

(Selectboard 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 \$39.90, or any other amount, for the purpose of paying a prior year bill of the Board of Health, or pass any vote or votes in relation thereto.

(BOH Request)

ARTICLE 12. To see if the Town will vote to authorize the Selectboard to petition the General Court for special legislation to change the date of the Annual Town Election from the third Monday in May of each year to the third Tuesday in May each year, or pass any vote or votes in relation thereto.

The petition for special legislation shall take the following form; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, or pass any vote or votes in relation thereto.

AN ACT RELATIVE TO THE DATE FOR THE ANNUAL TOWN ELECTION IN
THE TOWN OF MONTAGUE

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by the authority of the same as follows:

SECTION 1. Section 1 of Chapter 9 of the Acts of 1974 is hereby amended by striking the word “Monday” in the first sentence and replacing it with the word “Tuesday”.

SECTION 2. This act shall take effect upon passage.

(Town Clerk Request)

ARTICLE 13. To see if the Town will vote to amend Section 2 from the Town’s General Bylaws, relative to the date of the Annual Town Election, as show below, provided, however, that any amendments approved pursuant to this article shall not take effect unless and until the Legislature enacts amendments to Chapter 9 of the Acts of 1974 relative to the date of the Annual Town Election, as set forth in Article 12 of the Warrant for this Town Meeting, or pass any vote or votes in relation thereto.

The bylaw amendment will strike section 2 of the Town’s General Bylaws, which currently reads as follows:

ANNUAL AND SPECIAL MEETINGS

Section 2: The annual meeting for the election of Town officers required by law to be elected by ballot shall be held on the first Monday in March of each year. *(This section was rescinded at a Special Town Meeting on 11/15/1973, by the following act passed by the General Court on February 22, 1974.)

Chapter 9, Acts of 1974, "An act relative to the dates of the Annual Town Election and Town Meeting held in the Town of Montague". Be it enacted as follows:
Notwithstanding the provisions of any general or special law or by-law of the Town of Montague to the contrary, said Town shall hold the Annual Town Meeting for the election of Town officers and the determination of such matters as by law or vote of the Town are required to be elected or determined by official ballot on the third Monday in May of each year. All other business shall be considered at a meeting to be held on the first Saturday of May of each year. Separate warrants may be posted for said election and business meetings.

And replace it with the following:

ANNUAL AND SPECIAL MEETINGS

Section 2: Notwithstanding the provisions of any general or special law or by-law of the Town of Montague to the contrary, said Town shall hold the Annual Town Meeting for the election of Town officers and the determination of such matters as by law or vote of the Town are required to be elected or determined by official ballot on the third Tuesday in May of each year. All other business shall be considered at a meeting to be held on the first Saturday of May of each year. Separate warrants may be posted for said election and business meetings.

(Town Clerk Request)

ARTICLE 14. To see if the Town will vote to authorize the Selectboard to take the following actions in connection with the construction of a new 5th Street pedestrian bridge and related purposes:

(1) acquire an easement, approximately 16' in width, across the FirstLight Canal, for the placement of a new 5th Street pedestrian bridge, said bridge to be located southerly of the existing 5th Street vehicular bridge and the 1880 County Layout, as well as such easements at the eastern and western termini of the new pedestrian bridge as may be needed for access thereto, including wheelchair and other ADA-compliant access infrastructure, all as shown on a plan entitled "5th Street Pedestrian Bridge and Intersection Improvements Montague, MA," prepared by McMahon Associates, Inc., a copy of which plan is on file with the Town Clerk;

(2) acquire temporary construction easements at or near the site of the new 5th Street pedestrian bridge, including for access and related purposes in order to construct said bridge;

(3) relinquish such rights the Town may have for the installation and maintenance of utilities, located across, upon and under the Strathmore pedestrian bridge, serving 20 Canal Road, and, in exchange therefor, obtain an easement for utilities, including, but not limited to, water and sewer, as deemed necessary and convenient, across, upon and under the new 5th Street pedestrian bridge;

(4) acquire an easement, to pass and repass, for vehicular and pedestrian traffic, and for utilities, commencing at or near the western terminus of the new 5th Street pedestrian bridge, in a northeasterly direction, along Canal Road to and across the so-called IP bridge;

(5) acquire easements at or near the location of the existing Strathmore pedestrian bridge, for the purpose of installing, constructing, operating, maintaining, repairing and replacing a bridge, for vehicular and pedestrian traffic;

all of the foregoing rights and easements to be acquired on such terms and conditions as determined by the Selectboard to be in the best interests of the Town; to authorize the Selectboard to accept all grants and funding to accomplish the foregoing; and, further, to negotiate and execute any and all agreements as may be necessary or convenient to accomplish the purposes of this Article, or pass any vote or votes in relation thereto.

(Selectboard Request)