

Selectboard Executive Session
Via Zoom
Tuesday, September 28, 2020
8:25PM

RE: Executive Session in accordance with G.L. C. 30A, §21(a)(6), to consider the possible purchase, exchange, lease or value of real property – First Light Power, votes may be taken

Present: Selectpersons Richard Kuklewicz, Christopher Boutwell, and Michael Nelson, Town Administrator Steve Ellis, Executive Assistant Wendy Bogusz, Walter Ramsey, Town Planner. Historical Commission: David Brule, Suzanne LoManto, Jeff Singleton

Documents:

- 9/24/21 Email from Steve Ellis to Historic Commission re: Joint Executive Session

Kuklewicz opens meeting for Selectboard. Brule opens meeting for Historic Commission

Kuklewicz declares holding Executive Session in open session may be detrimental to Towns bargaining position.

Boutwell makes the motion to go into Executive Session in accordance with G.L. C. 30A, §21(a)(6), to consider the possible purchase, exchange, lease or value of real property – First Light Power, votes may be taken. Seconded by Nelson, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Brule declares holding Executive Session in open session may be detrimental to Towns bargaining position.

Singleton makes the motion to go into Executive Session in accordance with G.L. C. 30A, §21(a)(6), to consider the possible purchase, exchange, lease or value of real property – First Light Power, votes may be taken. Seconded by Brule, approved unanimously. Singleton – Aye, Brule – Aye, LoManto – Aye

This is a discussion around work we are doing to get a new pedestrian bridge at the juncture of Fifth Street to the Canal and there are some issues so we are working with FirstLight to gain an easement to the other property. In that discussion, the defunct Strathmore bridge was brought up and we felt because that bridge is a historic structure it was important to get your feedback as we continue our discussion with FirstLight.

Ellis:

We are presently in negotiations with First Light Power relative to an exchange of easements which is a conversation they brought to us in response to our request for rights to an easement to place the bridge as Rich described (present 5th Street bridge is up stream of the motor vehicle bridge on the Southworth side and we need to move it to the downstream side, closer to the old Housing Authority Building) because we cannot make an accessible bridge on the upstream side. This is due to the fact that the bridge

abutments could only be explored after the grant was awarded and it was found that the nature of the abutments were different than expected and it requires that the engineering and bridge abutments extend into what would be thought of as the access point, the open mouth of canal road right by Southworth.

Ellis gives history of bridge and updates Historic Commission on why the Town is negotiating with FirstLight.

Ellis:

The Board wants to engage the Historical Commission to understand your prospective on the matter. One of the additional easements that we are looking for is the right to install in the future a bridge at the same location as part of the future redevelopment of either the Strathmore building or some new project that could be at that site so we are not sacrificing the ability when and if the present bridge is taken down because my understanding is FirstLight does not immediately intend to do that, but at such time that they may take it down, to secure the right to create a new structure there. That structure could have hallmarks or elements of style that reflect the historical bridge etc. We really just want to understand your general thoughts and considerations. These negotiations have to be quick because of the development timeline for the final engineering of the 5th Street pedestrian bridge and that grant but there is some time for reflection and we wanted to invite you to bring that to us.

Brule:

This topic has been on the Historical Commission's agenda for the past 3 meetings but we haven't had any information to go on, so we haven't talked about it.

Singleton:

Thinks FirstLight should have fixed this bridge a long time ago. The bridge has handicap issues but think it's very historically significant. Thanks the Board for asking for the Commissions input but feels it's pretty much a done deal at this point since it's on the Town Meeting warrant. I will think about it, but I think I'm voting against it.

LoManto:

My priority is to encourage development in the canal district and to do so we really need to services over the bridge, need normalized pedestrian traffic and emergency vehicle traffic around the mill. Holding up the bridge is going to come back and bite us. We really need to get that bridge moved to the south side of the car bridge. The practical decision is to move ahead with moving it and negotiations with FirstLight. I don't feel like we have a choice.

Ramsey:

Prior to 2014 when the indenture expired prior to that the Town filed an injunction, hiring special council, we filed a suit against FirstLight requiring them to maintain the bridge. FirstLight needed a drain under the Strathmore mill that we The Town lost the lawsuit, they out lawyered us. The Town filed for right to use the bridge, that was denied by the State for funding. The bridge is a listed historic structure and FirstLight will have to file.

Brule states the mission of the Commission is to advise on opinions and historical structures. It sounds like it would be feasible to replace the bridge.

Ellis states the Town is on a short time line to get the project done by 6/30/21. It's imperative to the Canal Districts viability. As of this moment they have agreed to Air rights.

Brule does not feel the Historic Commission needs to vote

Brule makes the motion to adjourn the Historical Commission meeting at 9:02 PM. Seconded by Singleton. Brule – Aye, Singleton – Aye, LoManto – Aye

Ellis

We have received a \$200,000 counter offer from FirstLight. I told them that was not good enough and they needed to come back with \$275,000. They came back with \$250,000. Everything is contingent upon the engineering study.

Nelson and Boutwell feel this is sufficient for a tentative agreement on core terms. Kuklewicz states we are not getting all that we want.

Boutwell makes the motion to endorse the proposal as tentatively presented and authorize Chair Kuklewicz and S. Ellis to negotiate with FirstLight and bring the proposal back to the Board. Seconded by Nelson, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye.

Boutwell makes the motion to adjourn the executive session at 9:12 PM. Seconded by Nelson, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye.

Approved:

✓ Boutwell ✓ Kuklewicz ✓ Nelson

Release to the Public:

✓ Yes _____ Not Yet 8/23/21 Date

Date Released to the Public: 9/15/21

WendyB-Montague Board of Selectmen

From: StevenE - Montague Town Administrator
Sent: Thursday, September 24, 2020 4:30 PM
To: david brule; jeff singleton; Ed Gregory; Suzanne LoManto; Chris Clawson
Cc: Rich Kuklewicz; WendyB-Montague Board of Selectmen; Walter Ramsey - Montague Planner
Subject: Joint Executive Session Monday Night

Dear Historical Commission Members

This note is to confirm that the Montague Selectboard requests you join them in a joint executive session this Monday night, September 30. The board's regular meeting will begin at 6:30 and the executive session will occur as the last item on that agenda. This will pertain to a possible purchase, exchange, taking, lease or value of real property with First Light Power.

It is our intention to bring the Commission up to speed on a proposed exchange of easements, which will be further described in an article appearing on the final October 13, 2020 Special Town Meeting warrant. This matter is under negotiation and it would be detrimental to the interests of the Town were it to be discussed in open session. We look forward to sharing information and hearing priorities and concerns that you may have relative to this matter.

Wendy will include you all on the distribution list for the meeting agenda, which will contain the approximate time of the session and related Zoom/Call in information.

Thanks - Steve

Steven Ellis
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