

MONTAGUE SELECTBOARD MEETING
Upstairs Meeting Room – Town Hall

1 Avenue A, Turners Falls, MA 01376

Monday, August 30, 2021

Zoom Meeting Option: <https://us02web.zoom.us/j/85293808351>

Meeting ID: 852 9380 8351 Password: 383558 Dial in Option: (646) 558-8656

This meeting/hearing of the Selectboard will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in-person vs. virtual attendance accordingly.

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. 6:32 Public Comment Period: Individuals will be limited to two (2) minutes each and the Selectboard will strictly adhere to time allotted for public comment
3. 6:33 Pole Location Hearing
 - Eversource Energy and Verizon New England, Inc. request permission to install eighteen (18) jointly owned midspan poles, one (1) jointly owned stub pole, eight (8) jointly owned anchors, and relocate four (4) existing joint poles along North Leverett Road
4. 6:40 Execute Airport Grant Agreements – Bryan Camden
 - Airport Improvement Program, #3-25-0032-023-2021, totaling \$340,700.00 "Purchase Pioneer Aviation Property" (Grant 1 of 3 for this project)
 - Airport Improvement Program, # not yet assigned, totaling \$32,000.00 "Airport Rescue Grant Program"
5. 6:45 11 Power Street, Tax Title Taking – Steve Ellis, Eileen Seymour
 - Enter Request to Land Court for Final Judgment with regard to property of Solutions Consulting Group, LLC, located at 11 Power Street, Turners Falls.
6. 6:50 Dispatch Staffing Challenges – Chief Chris Williams and Lt. Chris Bonnett

7. 6:55 Anticipated executive session pursuant to G.L. c. 30A, §21(a)(3), to comply with, or act under the authority of any general law; specifically to discuss strategy with respect to collective bargaining.

Other: Annual Household Hazardous Waste Collection Day, September 25 at GCC's Main Campus and the Orange Transfer Station. Online preregistration by September 17th at www.franklincountywastedistrict.org/hazwasteday.html

Next Anticipated Regular Meeting Date: Monday, September 13, 2021 at 6:30pm



PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

To the Board of Selectmen of Montague, Massachusetts.

NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY and VERIZON NEW ENGLAND, INC. request permission to locate and/or relocate a line of poles, wires, cables and fixtures, including the necessary sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way:

Location – Requesting permission to install eighteen (18) jointly owned midspan poles, one (1) jointly owned stub pole, eight (8) jointly owned anchors and relocate four (4) existing joint poles along North Leverett Road.

Reason – Work is required to reduce existing excessively long wire spans in order to improve system reliability.

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations for and permission to construct and maintain a line of poles, wires and cables, together with such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the field plan herewith and made a part hereof marked **5481681 - 80063682**.


Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree to reserve space for one crossarm at a suitable point on each of said poles for the fire and police telephone signal wires belonging to the municipality and used by it exclusively for municipal purposes.

NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY

By 
District Representative

VERIZON NEW ENGLAND, INC.

By 
Manager Right-of-Way

Dated this 6th day of August 2021



ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

By the Board of Selectmen of the Town of Montague, Massachusetts.

Notice having been given and a public hearing held, as provided by law,
IT IS HEREBY ORDERED

that NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY and VERIZON NEW ENGLAND, INC. be and they are hereby granted joint or identical locations for and permission to construct and maintain and/or relocate a line of poles and their respective wires, anchors and cables, to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way hereinafter referred to as requested in petition of said Companies dated the 6th day of August, 2021.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonably straight, and shall be set substantially at the points indicated upon the plan marked **5481681 - 80063682** filed with and made a part of said petition. There may be attached to said poles by said NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY not to exceed 18 wires and 2 cables, and by VERIZON NEW ENGLAND INC. not to exceed 40 wires and 4 cables, and all of said wires and cables shall be placed at a height of not less than 18 feet from the ground at highway crossings, and not less than 12 feet from the ground elsewhere.

The following is the public way along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Location – Requesting permission to install eighteen (18) jointly owned midspan poles, one (1) jointly owned stub pole, eight (8) jointly owned anchor and relocate four (4) existing joint poles along North Leverett Road.

Reason – Work is required to reduce existing excessively long wire spans in order to improve system reliability.

Also, that permission be and thereby is granted to each of said Companies to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each may desire for distributing purposes.

Jun

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen of the Town of Montague, Massachusetts held on the 30th day of August, 2021.

Town Clerk

We hereby certify that on August 30 2021, at 6:33 o'clock P M, at 1 Avenue A, Turners Falls a public hearing was held on the petition of the NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY and VERIZON NEW ENGLAND INC. for permission to construct the line of poles, wires, cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the way upon which the Companies are permitted to construct the line of poles, wires, cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

Board of Selectmen of the town of Montague, Massachusetts.

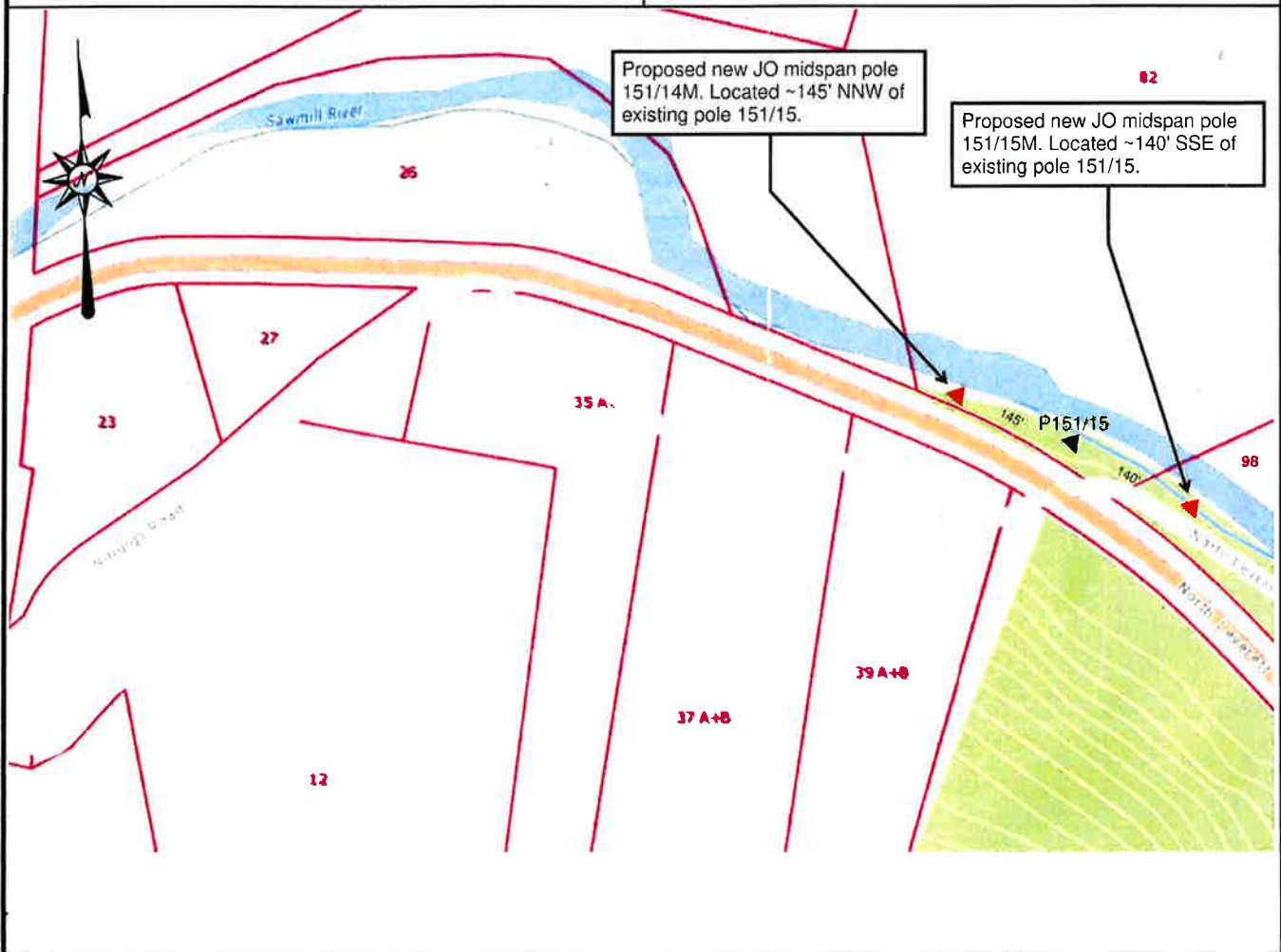
CERTIFICATE

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice adopted by the Board of Selectmen of the Town of Montague, Massachusetts, on the _____ day of _____ 2021 and recorded with the records of location orders of said town, Book _____, Page _____. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

Town Clerk








TOWN	Montague, MA
STREET	North Leverett Rd




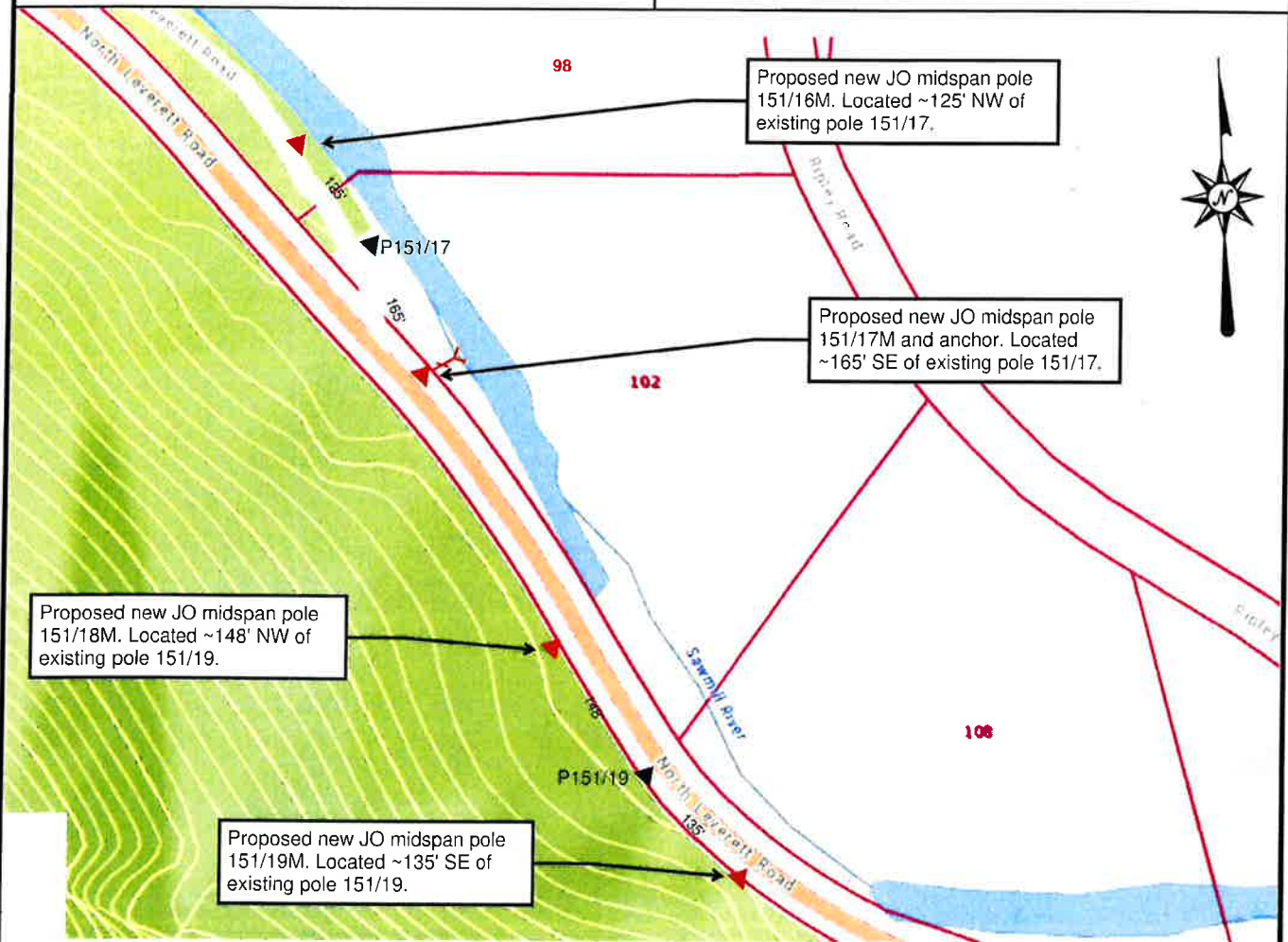
Eversource is requesting permission to install 18 new joint owned midspan poles, 1 new joint owned stub pole, 8 new joint owned anchors, relocate 4 existing JO poles, and relocate 3 existing joint owned anchors on North Leverett Rd. Work is required to reduce existing excessively long wire spans in order to improve system reliability.

Page 2 of 6
 Drawn By: Lee Graber, TRC
 530-961-2732
 LGraber@trccompanies.com

LEGEND

-  PROPOSED JOINT POLE
-  PROPOSED SOLE-OWNED ELECTRIC POLE
-  EXISTING JOINT POLE
-  EXISTING SOLE-OWNED ELECTRIC POLE
-  PROPOSED ANCHOR
-  EXISTING ANCHOR
-  PROPERTY LINE

DRAWN BY 	W.O.# 5481681	DISTANCES ARE APPROXIMATE NOT TO SCALE	PETITION NO.
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⋈ PROPOSED ANCHOR

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— PROPERTY LINE

DRAWN BY



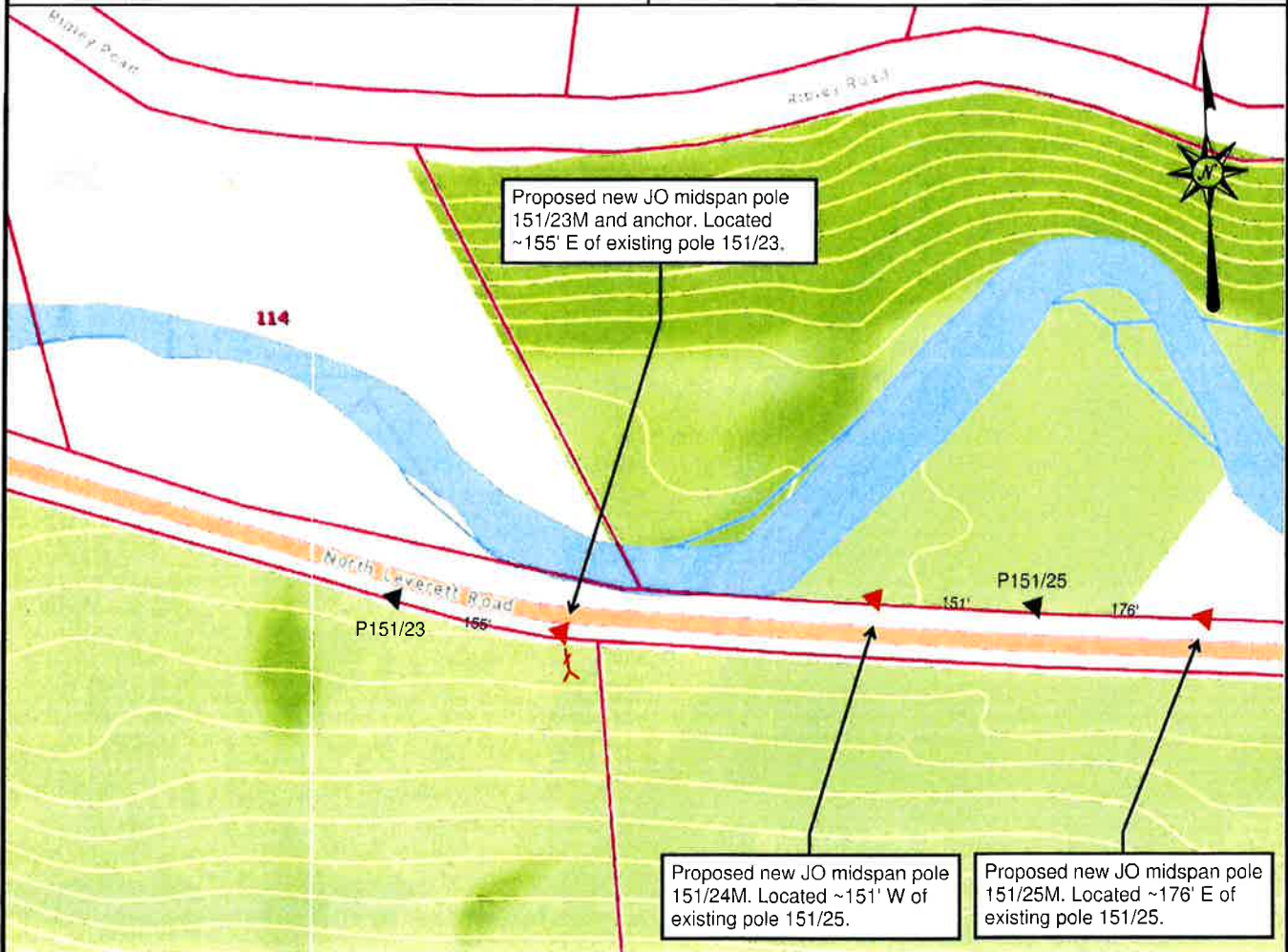
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DRAWN BY



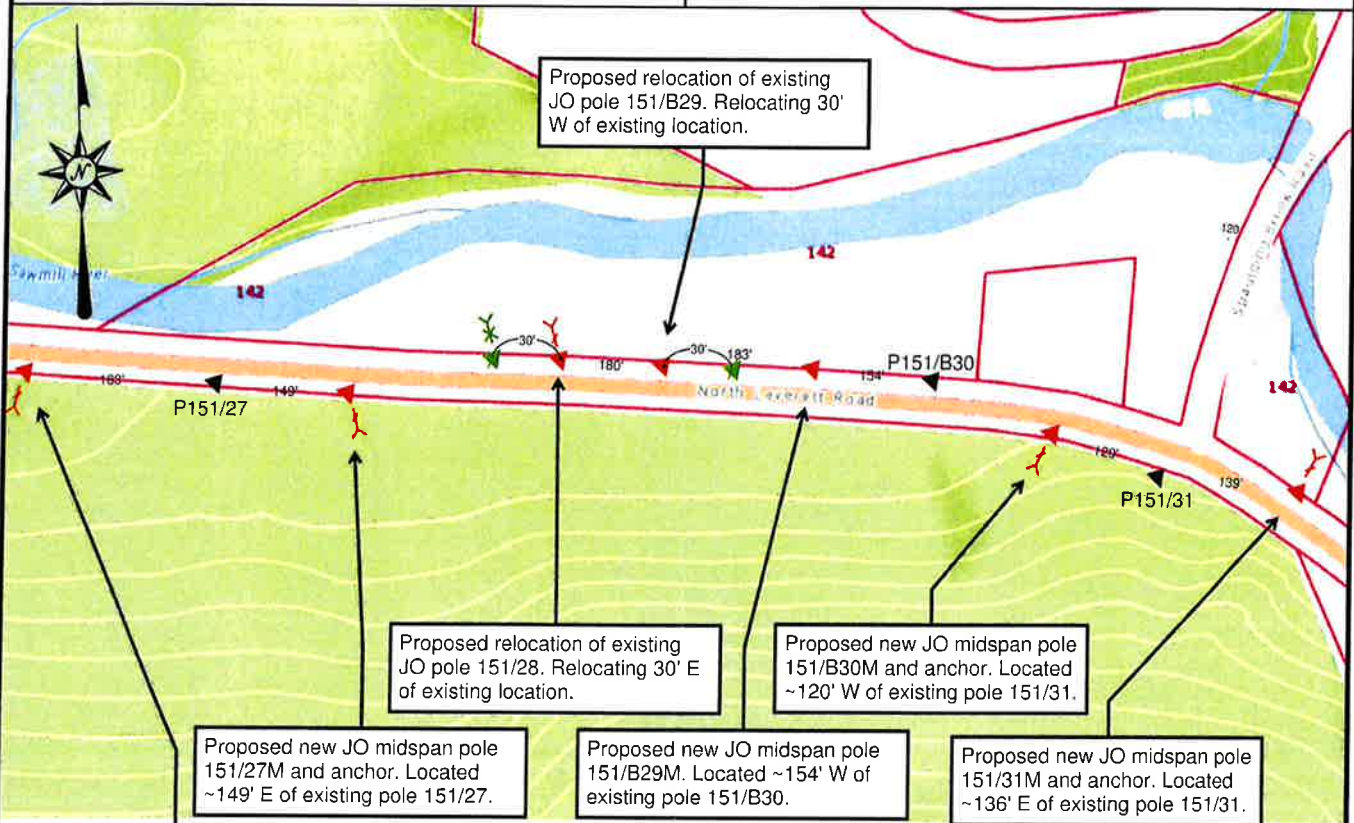
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LEGEND



PROPOSED JOINT POLE



PROPOSED SOLE-OWNED ELECTRIC POLE



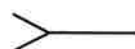
EXISTING JOINT POLE



EXISTING SOLE-OWNED ELECTRIC POLE



PROPOSED ANCHOR



EXISTING ANCHOR



PROPERTY LINE

DRAWN BY



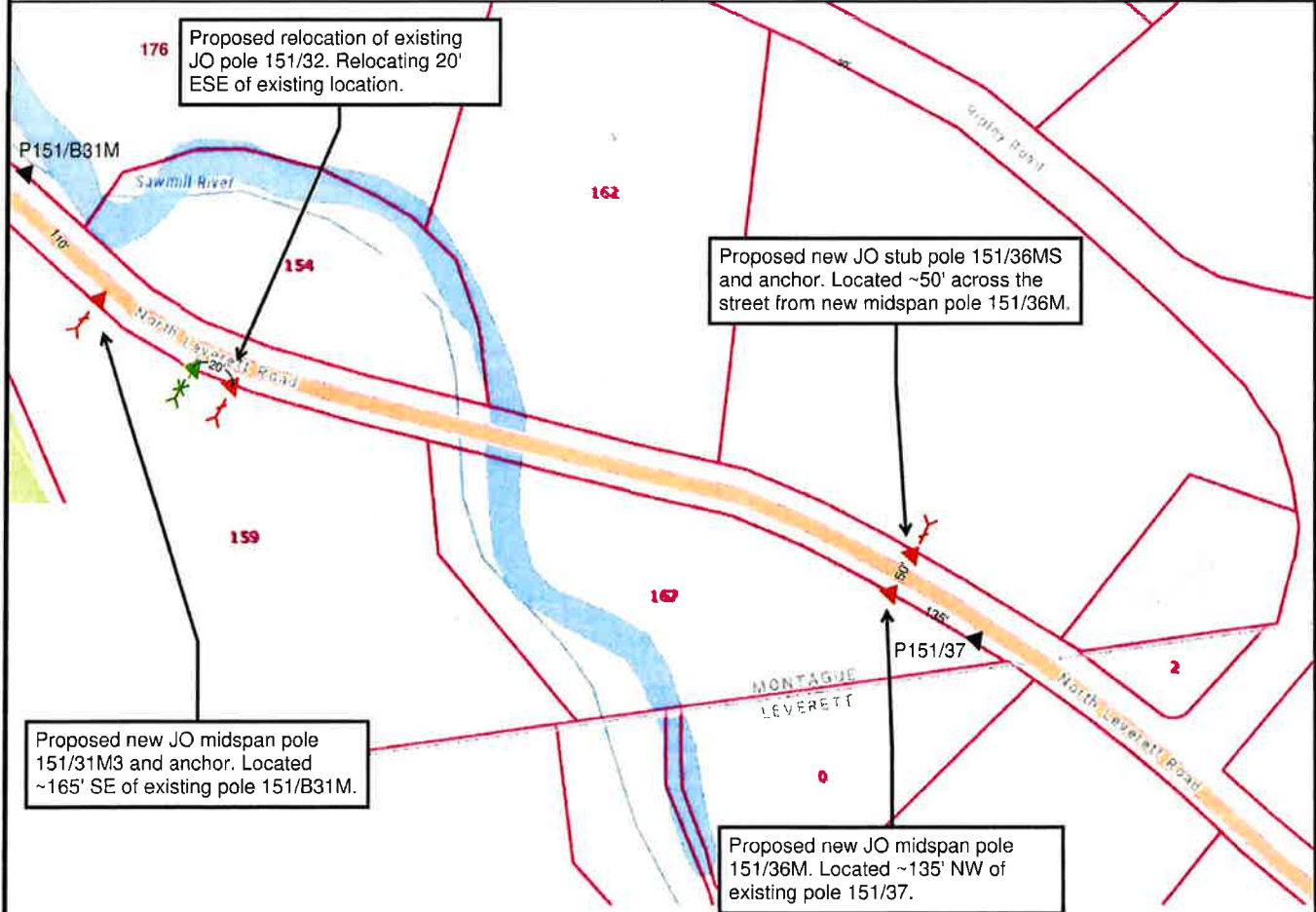
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Page 6 of 6

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⋈ PROPOSED ANCHOR

> EXISTING ANCHOR

— PROPERTY LINE

DRAWN BY



W.O.#

5481681

DISTANCES ARE APPROXIMATE

NOT TO SCALE

PETITION NO.

LoGiudice, Jean (FAA)

From: LoGiudice, Jean (FAA)
Sent: Wednesday, August 25, 2021 1:26 PM
To: OB5's AIP 3-25-0032-023-2021 grant offer will be MAILED; one must be executed and received
Cc: by FAA no later than noon on WED, 15th of SEP 2021

High

Subject:

Importance:

Hello,

As we discussed, FAA is approaching the end of the federal fiscal year and need a quick turnaround in order to get this grant offer in the system in time.

You should receive via FedEx by THU (26 AUG 2021) 2 copies of a grant offer for OB5's AIP 3-25-0032-023-2021. This is being mailed, due to need for signatures to be notarized per statement in OB5's application.

Please note, one of the grant offers (one with **red** cover sheet) **must** be returned to FAA fully executed/signed in accordance to our guidance **no later than 12:00 PM (1200) on WED, 15th of SEP 2021.**

Request – We are getting very close to end of Federal Fiscal Year, I am requesting you scan and e-mail me the fully executed grant offer (all offer pages – first ten pages) and the SF-424 form (all pages – form has total of three pages) to my attention **by 2PM (1400) on TUE, 14th of SEP 2021** **prior** to overnighting the grant offer and attached application for arrival to FAA on 15th of SEP 2021.

Reminder – The Sponsor's Attorney's signature & date cannot be prior to the Sponsor's signature and date. (Basically, the attorney **cannot** sign before the sponsor.)

If you have any questions, please feel free to contact me.

Take Care,
 Jean

Jean LoGiudice

Airports Program Specialist (AIP)

ANE Airports Division

Direct Line:

ormal Schedule: M-F, 0600-1430 (east coast time)

FYI:

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U.S. Department
of Transportation
**Federal Aviation
Administration**

Airports Division
New England Region
CT, ME, MA< NH, RI, & VT

FAA ANE-600
1200 District Ave.
Burlington, MA 01803

August 25, 2021

Mr. Bryan Camden
Airport Manager
Turners Falls Airport
One Avenue A
Montague, MA 01376

Dear Mr. Camden:

We are enclosing the original and two copies of the Grant Offer for Airport Improvement Program (AIP) Project No. 3-25-0032-023-2021 at Turners Falls in Montague, Massachusetts. This letter outlines expectations for success. Please read the conditions and assurances carefully. [ADO may adjust number of copies as applicable]

To properly enter into this agreement, you must do the following:

- a. The governing body must provide authority to execute the grant to the individual signing the grant; i.e. the sponsor's authorized representative.
- b. The sponsor's authorized representative must execute the grant, followed by the attorney's certification, **prior** to Wednesday, September 15, 2021, in order for the grant to be valid.
 - The date of the attorney's signature must be on or after the date of the sponsor's authorized representative's signature.
 - All signatures must be made with blue or black ink; Signature stamps will not be accepted.
- c. You may not make any modification to the text, terms or conditions of the grant offer.
- d. After you properly execute the grant agreement:
 - Return one executed original Grant Agreement (one with the red cover) to our office (attn.: Jean LoGiudice) via overnight mail or regular mail, so that we receive it **no later than 12:00 (noon) on WED, September 15, 2021.**
 - Retain one copy of the executed Grant Agreement (one with blue cover) for your records.
- e. Because time is now critical for entering the executed grant into the FAA system, we request you **email a PDF** of the signed grant offer agreement to our office **no later than 2 PM (1400) on Tuesday, September 14, 2021,** prior to sending the hardcopy document through overnight mail or commercial courier.

Subject to the requirements in 2 CFR §200.305, each payment request for reimbursement under this grant must be made electronically via the Delphi invoicing System. Please see the attached Grant Agreement for more information regarding the use of this System.

The terms and conditions of this agreement require you to complete the project without undue delay. We will be monitoring your progress to ensure proper stewardship of these Federal funds. **We expect you to submit payment requests for reimbursement of allowable incurred project expenses consistent with project progress.** Should you fail to make draws on a regular basis, your grant may be placed in "inactive" status, which will affect your ability to receive future grant offers.

Until the grant is completed and closed, you are responsible for submitting formal reports as follows:

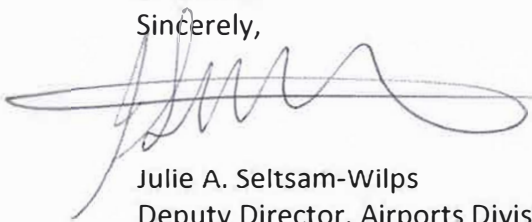
- A signed/dated SF-270 (non-construction projects) or SF-271 or equivalent (construction projects) and SF-425 annually, due 90 days after the end of each federal fiscal year in which this grant is open (due December 31 of each year this grant is open); and
- Performance Reports, which are due within 30 days of the end of a reporting period as follows:
 1. Non-construction project: Due annually at end of the Federal fiscal year.
 2. Construction project: Submit FAA form 5370-1, Construction Progress and Inspection Report at the end of each fiscal quarter.

As a condition of receiving Federal assistance under this award, you must comply with audit requirements as established under 2 CFR part 200. Subpart F requires non-Federal entities that expend \$750,000 or more in Federal awards to conduct a single or program specific audit for that year. Note that this includes Federal expenditures made under other Federal-assistance programs. Please take appropriate and necessary action to assure your organization will comply with applicable audit requirements and standards.

Once the project(s) is completed and all costs are determined, we ask that you close the project without delay and submit the necessary final closeout documentation as required by your Region/Airports District Office.

Jorge Panteli, (XXX) XXX-XXXX, is the assigned program manager for this grant and is readily available to assist you and your designated representative with the requirements stated herein. We sincerely value your cooperation in these efforts and look forward to working with you to complete this important project.

Sincerely,



Julie A. Seltsam-Wilps
Deputy Director, Airports Division

From: [LoGiudice, Jean \(FAA\)](#)
To: [Airport - Bryan Camden](#)
Cc: [airport0B5@netscape.net](#); [WendyB-Montague Board of Selectmen](#); [StevenE - Montague Town Administrator](#); [CarolynO-Montague Town Accountant](#); [rodolfo.giannandrea@state.ma.us](#); [Scott, Priscilla \(FAA\)](#)
Subject: FAA ARPA Funding Information For Turners Falls - 0B5
Date: Wednesday, August 25, 2021 5:23:09 PM
Attachments: [MA 0B5 - SF424 Unsigned.pdf](#)

Dear Airport Sponsor:

As announced by the Secretary of Transportation on June 22, 2021, your airport is eligible for funds under the American Rescue Plan Act 2021 (Public Law 117-2) (ARPA). The purpose of these funds is to provide economic relief to airports in response to the COVID-19 pandemic. The FAA will distribute these grants under the new Airport Rescue Grant Program (ARGP).

Accepting an ARGP grant does not affect your ability to receive Airport Improvement Program grants.

The attached Application for Federal Assistance (OMB SF-424) is prepopulated with general airport information for your airport. These funds are to be used for costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport, and debt service payments. Any airport development must be directly related to combating the spread of pathogens at the airport. If you intend to use funds for development, please work with your Region or Airports District Office prior to beginning the project.

If you are the sponsor of a primary airport, an application for an ARGP concessions relief grant may follow.

For submission of ARGP Applications for Federal Assistance (OMB SF-424), send the signed application to Jean.LoGiudice@faa.gov with your State and location identifier (LOC ID) as the first 5 characters of the subject line and file name i.e. MA ARGP Application.

The deadline to apply for these funds is November 30, 2021. If you do not want to receive these ARGP funds, please respond to this email. In your response, please state that you do not wish to receive ARGP funds and the reason why you are declining the funds.

To facilitate the FAA offering an ARGP grant, please contact your Region or Airports District Office if your airport grant signatories have changed. We are available to assist you in any way possible. Please contact us if you have any questions or concerns about this application. In addition, there is detailed information, including Frequent Asked Questions about the Airport Rescue Grant Program, at https://www.faa.gov/airports/airport_rescue_grants/. Specific questions about the program can be sent to CARESAirports@faa.gov.

Thank you.

Jean LoGiudice
Airports Program Specialist (AIP)
ANE Airports Division

Application for Federal Assistance SF-424

*1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

*2. Type of Application

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

*Other (Specify)

*3. Date Received:

NA

4. Applicant Identifier:

0B5 (Turners Falls) Montague, MA

*5b. Federal Entity Identifier:

25-0032

*5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*a. Legal Name: Town of Montague

*b. Employer/Taxpayer Identification Number (EIN/TIN):

04-6002284

*c. Organizational DUNS:

04-969-8962

d. Address:

*Street 1: Turner Falls Airport

Street 2: _____

*City: MONTAGUE

County/Parish: _____

*State: MA

Province: _____

*Country: USA: United States

*Zip / Postal Code 01376

e. Organizational Unit:

Department Name:

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: _____ *First Name: Bryan

Middle Name: _____

*Last Name: Camden

Suffix: _____

Title: Airport Manager

Organizational Affiliation:

*Telephone Number: (413) 863-0044

Fax Number:

*Email: airport@montague-ma.gov

Application for Federal Assistance SF-424

***9. Type of Applicant 1: Select Applicant Type:**

X. Airport Sponsor

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

***10. Name of Federal Agency:**

Federal Aviation Administration

11. Catalog of Federal Domestic Assistance Number:

20.106

CFDA Title:

Airport Improvement Program

***12. Funding Opportunity Number:**

NA

*Title:

NA

13. Competition Identification Number:

NA

Title:

NA

14. Areas Affected by Project (Cities, Counties, States, etc.):

***15. Descriptive Title of Applicant's Project:**

\$32,000 for costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport, and debt service payments.

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424**16. Congressional Districts Of:**

*a. Applicant: 1

*b. Program/Project: 2

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

*a. Start Date: NA

*b. End Date: NA

18. Estimated Funding (\$):

*a. Federal	<u>\$32,000</u>
*b. Applicant	<u>\$0</u>
*c. State	<u>\$0</u>
*d. Local	<u>\$0</u>
*e. Other	<u>\$0</u>
*f. Program Income	<u>\$0</u>
*g. TOTAL	<u>\$32,000</u>

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on ____.
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E. O. 12372

***20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation in attachment.)**

☐ Yes ☒ No

If "Yes", provide explanation and attach

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: _____ *First Name: Bryan

Middle Name: _____

*Last Name: Camden

Suffix: _____

*Title: Airport Manager

*Telephone Number: (413) 863-0044

Fax Number:

* Email: airport@montague-ma.gov

*Signature of Authorized Representative:

*Date Signed:



Office of the Town Administrator
 Town of Montague
 One Avenue A
 Turners Falls, MA 01376

Phone (413) 863-3200 x110
 FAX (413) 863-3231

Memorandum

Subject: **Motion for Final Judgment - 11 Power Street, Turners Falls**

Date: August 26, 2021

The EPA's clean-up of 11 Power Street is complete and was performed at a total direct cost to EPA of \$997,507.33. They'd expected costs to be higher, but the site did not present as many unwanted surprises as might have been the case. We are still awaiting the final close-out report, but the EPA's project manager has assured us it will present no new findings relative to known hazardous materials. With that said, we understand the Town will need to do further environmental study of the adjacent grounds to confirm no further issues on the site.

Next steps toward redevelopment, including the ability to secure grants to assist with that further environmental assessment, real estate technical assistance, etc, will require that we have control of the property. We've worked with Town counsel and EPA's legal staff and confirmed that the Town will not take on unreasonable liability risk and will not be obligated to reimburse the EPA clean-up, with this protection found in a governing statute that provides liability protection to the Town when it forecloses on a property for tax delinquency (see Section 101(20)(D) of CERCLA).

With all of the above in mind, in order to move the site forward, I believe it is time now to proceed with a request to the Massachusetts Land Court for final judgment/foreclosure. Once granted, the Town owns the property absolutely, subject only to the former owner's right to ask the Court to vacate the Judgment to restore their ownership. If this were to come to pass, the owner would have responsibility for paying what is presently in excess of \$122,000 in real estate fees and penalties, as well as reimbursing the direct and indirect costs of clean-up to the EPA.

If the board wishes to take this step now, the following motion is suggested:

"I move that the Selectboard authorize and direct the Treasurer/Collector and Town Administrator to direct counsel to Motion the Land Court to order that Final Judgment be entered in the Town's action to foreclose rights of redemption with regard to property of Solutions Consulting Group, LLC, located at 11 Power Street, Turners Falls."

Respectfully,

Steven Ellis
 Town Administrator