

MONTAGUE BOARD OF HEALTH MEETING

Remote Meeting via ZOOM

1 Avenue A, Turners Falls, MA 01376

Monday, February 7, 2022

Zoom Meeting Link: <https://us02web.zoom.us/j/86974171577>

Meeting ID: 869 7417 1577 Password: 472103 Dial in Option: (646) 558-8656

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

Meeting Being Taped

Votes May Be Taken

1. 5:30 PM Selectboard Chair opens the meeting, including announcing that the meeting is being recorded and roll call taken
2. 5:30 Future of the Farren Property Forum and Discussion
3. 6:30 Public Comment Period: Individuals will be limited to two (2) minutes each and the Selectboard will strictly adhere to time allotted for public comment
4. 6:32 Approve minutes of January 25 and 31, 2022
5. 6:34 Board of Health Chair opens the meeting, if quorum present, roll call taken
6. 6:35 COVID-19 Updates
 - Review of COVID case counts and trends
7. 6:55 Walter Ramsey, Town Planner
 - Execute Addendum to services agreement with GZA GeoEnvironmental, Inc. dated 4/23/2020 for engineering services required by MassDEP to obtain final closure certification for the Corrective Action Design of the Sandy Lane Burn Dump. Estimated value of contract addendum is \$52,000. To be funded by an existing appropriation.
 - Authorize Town Planner to submit a request to the EPA Brownfields Targeted Assessment Program for Phase II Environmental Site Assessment for 11 Power Street/Griswold Mill Site (Assessors Map 03 Lot 027)
8. 7:05 Present FERC First Light Recreation Agreement in Principle
 - Overview of AIP and Plan for Extended Discussion and Vote on February 14, 2022
9. 7:20 ARPA Guidance, Public Input and Possible Immediate Expenses
 - Update on Guidance
 - Discuss Public Input Session
 - Consider Special Article Requests eligible for ARPA Funding
 - Collection System Engineering Study
 - Vactor Truck
 - WPCF Screw Pumps
 - 5th Street Pedestrian Bridge (Consider Rescinding)

**MONTAGUE SELECTBOARD MEETING
MONTAGUE BOARD OF HEALTH MEETING
VIA ZOOM
Monday, February 7, 2022**

10. 7:35 March 3, 2021 Special Town Meeting
- Update on STM Logistics and Schedule
 - Vote to approve the Moderator's request to conduct the March 3, 2022 Special Town Meeting by remote video platform rather than in-person.
 - Town Meeting Warrant – To review draft warrant, attached hereto, and to make recommendations on all items in warrant, votes may be taken
11. 7:55 Town Administrator's Business
- Discussion of Community Priorities with State Legislators on February 28, 2022
 - Topics not anticipated in the 48 hour posting

Other

- Anticipated Next Meeting: Monday, February 14, 2022 at 6:30 PM via ZOOM

**SPECIAL TOWN MEETING
TOWN OF MONTAGUE
COMMONWEALTH OF MASSACHUSETTS
March 3, 2022**

Franklin, ss.

To either of the Constables of the Town of Montague in the County of Franklin:

GREETINGS:

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 remotely, via Zoom Webinar beginning at 6:30 P.M. on March 3, 2022, and to act on the following articles and any motions which may be presented.

Town Meeting members who have email addresses on file with the Town Clerk will be sent instructions via email as to how to log-in, view and participate in the meeting. Those Town Meeting members for whom we do not have a current email address, or any member who does not receive an email from the Town by the close of business on Wednesday, February 16, 2022, should contact the Town Clerk's Office at townclerk@montague-ma.gov or (413) 863-3200 ext. 203 to access support that would enable you to log-in, view and participate in the meeting.

Registered Town of Montague voters, who are not Town Meeting Members, wishing to view and participate in this remote Town Meeting must submit a request to participate in the Meeting to the Town Clerk, at townclerk@montague-ma.gov or (413) 863-3200 ext. 203, by no later than 6:30 pm on Tuesday, February 23, 2021. Upon receipt of the request and verification of the requester's voter registration status, the Town Clerk shall provide to the requester instructions for participating in the remote Town Meeting.

For individuals wishing to view the Town Meeting, it will be broadcast on Montague Community Television, Comcast Channel 17.

Town Meeting members are encouraged to begin the process of joining the meeting at 6:00 pm on March 3, 2022 so as to avoid any delays in the commencement of the meeting.

The first order of business at the Town Meeting shall be for the Town Meeting members present and voting to vote on whether to commence business at the Town Meeting remotely by means of the Zoom webinar. (NOTE: this was not included in the proposed special act submitted to the Governor. Review based on pending legislation)

If the Town Meeting members vote to continue conducting the Town Meeting remotely, the members shall proceed by remote participation to address the remaining articles included in the warrant therefor.

If the Town Meeting members do not vote to continue conducting the Town Meeting remotely, the Town Meeting shall immediately be dissolved without taking any votes on any other matters and the Select Board may call the Town Meeting for a future date pursuant to a new warrant that provides for the Town Meeting to be held in person at a physical location in accordance with all applicable laws and provisions of the Montague Town Meeting Act.

WARRANT ARTICLES

ARTICLE 1: To see if Town will vote to conduct this Special Town Meeting remotely with the aid of Zoom Webinar.

(Moderator Request)

ARTICLE 2: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$10,000, or any other amount, for the purpose of making emergency repairs to town cemeteries, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(Cemetery Commission 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 \$10,000, or any other amount, for the purpose of repairing a retaining wall and for other maintenance, renovations, and improvements at the Burnham Cemetery, including but not limited to grading and clearing of trees, to prevent future problems, or pass any vote or votes in relation thereto.

(Cemetery 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 \$20,377, or any other amount, for the purpose of increasing the Fiscal Year 2022 Airport Budget, or pass any vote or votes in relation thereto.

(Airport Commission Request)

ARTICLE 5: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$2,500, or any other amount, for the purpose of purchasing and equipping a riding mower for the Parks and Recreation Department, or pass any vote or votes in relation thereto.

(Parks & Recreation 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 \$4,500, or any other amount, for the purpose of purchasing and installing additional security cameras and updating the surveillance system at Unity Park, 56 1st Street, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(Parks & Recreation Request)

ARTICLE 7: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$10,616, or any other amount, for the purpose of increasing the Fiscal Year 2022 Libraries budget, or pass any vote or votes in relation thereto.

(Library Request)

ARTICLE 8: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$5,270, or any other amount, for the purpose of obtaining an engineered plan for the Carnegie Library's driveway project, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(Library 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 \$25,100, or any other amount, for the purpose of upgrading the Board of Assessors' software and purchasing related computer equipment, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(Board of Assessors 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 \$15,463, or any other amount, for the purpose of providing tuition for a Montague resident attending Smith Vocational School, or pass any vote or votes in relation thereto.

(Town Accountant 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 \$315,000, or any other amount, for the purpose of abating, replacing, and/or covering existing tile flooring in the Hillcrest Elementary School, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(Gill Montague Regional School District Request)

ARTICLE 12. To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$202,000, or any other amount, for the purpose of providing a grant match for an engineering assessment of the sources of Inflow & Infiltration in the Millers Falls Collection System and Combined Sewer Overflow (CSO) prevention in the Turners Falls Collection System, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(Town Administrator Request)

ARTICLE 13: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$66,481, or any other amount, for the purpose of making improvements to reduce flooding and related issues on and along Montague City Road, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(Town Administrator Request)

ARTICLE 14: To see if the Town will vote to amend Montague Zoning Bylaws sections 2, 5.2.8, 5.2.9, 8.9 and 9.1.2 to adopt a Zoning Bylaw Amendment relating to the regulation of Battery Energy Storage Facilities as shown in the draft dated 1.6.2022.

**Proposed Zoning Bylaw Amendment relating to the regulation of
Battery Energy Storage Facilities**

**PLANNING BOARD APPROVED DRAFT
for Town Meeting Approval
1.6.2022**

Proposed new text shown in **yellow highlight**. Proposed text deletion shown as ~~strikethrough~~

Remove and replace the definition of Public Utility in Section 2 with the following text:

Section 2 Definitions

PUBLIC UTILITY: shall include power lines, power transmission, power generation facilities, and telecommunication facilities (See Section §8.6) but shall exclude solar energy installations, solar energy facilities, small scale battery energy storage systems, and battery energy storage facilities (See §8.9). A public utility may be privately owned but is otherwise regulated by the Mass Department of Public Utilities, the Federal Communications Commission, the Federal Energy Regulatory Commission, or other governmental agencies.

Add "battery energy storage facilities" to the list of uses allowed by Special Permit in the Industrial District (Section 5.2.8 (b) ii.) and Historic Industrial District (Section 5.2.9(b)v) with the following text:

5.2.8 ID. Industrial District

(a) Permitted Uses:

- i. Business office or professional office
- ii. Manufacturing, processing, or research
- iii. Bulk storage, warehousing, distribution
- iv. Agriculture or forestry products processing

(b) Uses allowed by Special Permit from the Planning Board

- i. All uses in §5.2.8(a) that involve the construction or alteration of over 20,000 square feet of floor area or the development of over 217,800 square feet (5 acres) of land.
- ii. Solar energy and battery energy storage facilities, per §8.9
- iii. Self-service storage facilities, per §8.7
- iv. Retail sales and services
- v. Hotels
- vi. Earth removal, per §8.2
- vii. Open recreational enterprises
- viii. Public utilities
- ix. Marijuana cultivation, production, research, or testing, medical marijuana treatment center, or retail if accessory to cultivation or production as a primary use, per §8.10
- x. Other uses similar to §5.2.8(a) in externally observable attributes.

5.2.9 HI. Historic Industrial District

(a) Permitted Uses:

- i. Business, professional, or medical office in an existing building
- ii. Retail sales and services in an existing building
- iii. Manufacturing, processing, or research in an existing building
- iv. Bulk storage, warehousing, distribution in an existing building
- v. Craft workshop or light assembly shop in an existing building

(b) Uses allowed by Special Permit from the Planning Board:

- i. Uses listed in § 5.2.9(a) that are in new structures or additions to existing buildings
- ii. Multi-family dwelling
- iii. Hotels
- iv. Public utilities
- v. Solar energy and battery energy storage facilities, per §8.9
- vi. Marijuana retailer, medical marijuana treatment center, cultivation, production, research or testing, per §8.10

- vii. Self-service storage facilities, per §8.7
 - viii. Open recreational enterprises
 - ix. Farming and forestry on 5 acres or less
 - x. Other uses similar to § 5.2.9(a) in externally observable attributes.
- (c) Special Requirements
- i. Demolition of an existing structure requires a special permit from the Planning Board, excepting structures that have been deemed unsafe by the Inspector of Buildings.

Remove and replace Section 8.9 (Solar Energy Installations and Facilities) with the following text:

8.9 Solar Energy Installations & Facilities and Battery Energy Storage Facilities

8.9.1 Purpose

To facilitate the transition from fossil fuels to renewable energy through the following:

- To encourage solar energy collection on roofs, over parking lots, and on degraded areas and to minimize the environmental impact when that is not otherwise practical.
- To allow properly sited battery energy storage facilities.

8.9.2 Definitions

BUILDING MOUNTED SOLAR ENERGY INSTALLATION: A solar energy installation that is permanently affixed to a building, as defined by the building code. This definition is inclusive of canopy structures.

ACCESSORY GROUND MOUNTED SOLAR ENERGY INSTALLATION: A solar energy installation that primarily supports on-site energy needs that is mounted on the ground, either directly or on supports which do not constitute a building under the building code.

SOLAR ENERGY FACILITY: a ground-mounted solar energy installation that exceeds 2,000 square feet of panel surface area. Solar Energy Facilities shall not constitute a Public Utility for the purposes of this bylaw.

BATTERY ENERGY STORAGE FACILITY: a physical container providing secondary containment to one or more battery cells for storing electrical energy that is equipped with cooling, ventilation, fire suppression, and an electronic battery management system. It may be a primary use or accessory to a solar energy facility, power generation facility, an electrical substation or other similar uses. Battery Energy Storage Facilities shall not constitute a Public Utility for the purposes of this bylaw. For the purpose of this bylaw, the aggregate rating of the facility shall exceed 80 kWh.

SMALL SCALE BATTERY ENERGY STORAGE SYSTEM: a battery storage system that is ancillary to a residential, commercial, or industrial use. For the purpose of this bylaw, the aggregate rating of the system shall not exceed 80 kWh.

8.9.3 Building Mounted Solar Energy Installations

Building Mounted Solar Energy Installations are permitted in all zoning districts.

8.9.4 Accessory Ground-Mounted Solar Energy Installations

Ground Mounted Solar Energy Installations shall be considered an accessory structure and shall meet the setback requirements of the Zoning District in which it is located. Ground-Mounted Solar Energy Installations are permitted in accordance with the following table:

Zoning District	Requirement
Neighborhood Business, Central Business, and Recreation-Education	Special Permit Required
RS-1	Special Permit Required if exceeding 150 square feet of panel surface area
All other districts	Special Permit Required if exceeding 500 square feet of panel surface area

8.9.5 Solar Energy Facilities and Battery Energy Storage Facilities

Solar Energy Facilities and Battery Energy Storage Facilities are allowed in the Industrial and Historic-Industrial Districts by Special Permit and Site Plan Review from the Planning Board, subject to the submittal requirements and standards of this section. The Planning Board may require additional conditions or vary the prescribed conditions upon a finding that such action is reasonably necessary to meet the purpose and intent of the Bylaws.

(a) Required Submittals. In addition to the required Site Plan elements in §9, the following materials are required for permitting approval of Solar Energy and Battery Storage Facilities:

- i. A plan for the general procedures of operation and maintenance of the installation including security measures, maintenance of emergency access and the clear and available means of shutting down the facility in the event of an emergency.
- ii. A fully inclusive estimate of the costs associated with removal and site restoration, prepared by a professional engineer.
- iii. Owners and successors in title shall provide a satisfactory form of surety, either through escrow account, bond or otherwise, to cover the cost of removal and restoration of the landscape, in an amount determined to be reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost of removal. Such surety may be waived for municipally or state owned facilities. The form of surety shall be subject to review and approval of Town Counsel.
- iv. A stormwater management report prepared by a professional engineer.
- v. A native flowering planting and maintenance plan that supports pollinator habitat within the project area and its perimeter. Plan to be developing in consistency with UMASS Clean Energy’s Extension Pollinator Friendly Solar PV Guide.

(b) Special Permit Standards

- i. Adequate access and parking shall be provided for service and emergency vehicles; however there shall be no exterior long term storage of equipment or service vehicles on the site.
- ii. For every mature tree cleared for construction, measured in board feet of wood; at least an equivalent mass of living mature trees shall be retained on-site.
- iii. An 8 foot security fence shall be installed no closer to a property line than the setback required for a principal building. In addition, the site and its fencing shall be screened by buffering vegetation from general view from the surrounding ground level unless the Planning Board determines that there is no public benefit from such screening.
- iv. The facility shall provide a vegetated buffer strip of at least 100 feet from any street line property boundaries or from the property line of any abutting residential use.

- v. To the extent feasible, all network interconnections and power lines, to and from the facility, shall be via underground lines.
- vi. Drainage from impervious surfaces shall be fully accommodated onsite.
- vii. No array facility shall be floodlit.
- viii. Herbicides may not be used to control vegetation at the solar electric installation facility. The operator shall conduct annual monitoring of the pollinator plantings and will remove invasive species and replant native flowering plants as needed.
- ix. The owner of the array facility must provide for and post a 24 hour emergency contact phone number and identification of the owner. The information shall remain current and shall also be provided to the Police Chief and Fire Chief.
- x. Decommissioning Requirements. Any facility which has reached the end of its useful life or has been abandoned shall be decommissioned by the owner or operator who shall notify the Board by certified mail of the proposed date of shut down and removal. Decommissioning shall consist of the following:
 - Physical removal of all panels, structures, equipment, security barriers and transmission lines from the site within 180 days following the date of notice to the Board.
 - Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
 - Stabilization and re-vegetation of the site and erosion prevention.
 - The Town shall have the right, upon determination of abandonment, but not the obligation, to claim the financial surety, enter the site and remove the facility in accordance with the requirements of this section.
 - All facilities, attachments, and accessory structures which have not been used for a period of one (1) year two (2) years shall be considered abandoned. The removal expense shall be secured with the performance guarantee.
- xi. Battery Energy Storage Facilities are encouraged to co-locate with solar energy facilities, energy, power generation stations, and electrical sub-stations. Facilities that are a primary use shall be located within a physical building that is harmonious with the adjacent architecture. Relief from this requirement may be granted for exceptional screening or the provision of publicly accessible open space or recreational amenities.
- xii. All facilities must comply with the Massachusetts Electrical Code (527 CMR 12.00) and Fire Code (527 CMR 1.00).

8.9.5 Small Scale Battery Energy Storage System

Small Scale Battery Energy Storage Systems that are ancillary to and located within a permitted primary use are allowed in all zoning districts. All such systems must comply with the Massachusetts Electrical Code (527 CMR 12.00) and Fire Code (527 CMR 1.00).

Remove and replace Site Plan Review section 9.1.2(e) with the following text:

9.1.2 Applicability

The following activities and uses are subject to site plan review:

- (a) All uses that involve the construction or expansion or change of use of over 3,000 square feet of floor area.
- (b) All uses that involve the development of over 130,680 square feet (3 acres) of land.

- (c) Any new structure, group of new structures, changes of use, or additions which result in an increase of 500 or more vehicle trips per day, as proposed in an applicant's business plan acceptable to the reviewing authority or estimated by a professional engineer.
- (d) All uses that involve the construction or expansion of a parking area that creates ten (10) or more new parking spaces, per §7.2.6
- (e) Specific Uses identified elsewhere in this bylaw:
 - Accessory Apartments within existing single family homes, per §8.5
 - Self-storage facilities, per §8.9
 - Solar energy and battery energy storage facilities, per §8.9
 - Medical Marijuana Treatment Center or Marijuana retailer, cultivation, production, research or testing, per §8.10
 - Open Space Residential Development, per §8.11
 - Planned Unit Development, per §8.12

or pass any vote or votes in relation thereto.

(Planning Board Request)

Given under our hands this ____ day of February in the Year of Our Lord Two Thousand and Twenty-Two.

Matthew Lord

Christopher M. Boutwell, Sr.

Richard Kuklewicz, Chairman
Selectmen, Town of Montague

Franklin, ss Montague, MA February ____, 2022

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 fourteen days before said meeting as within directed.

Constable of Montague

2

StevenE - Montague Town Administrator

From: Eric Dana ~~eric.dana@montague-town.com~~
Sent: Friday, January 7, 2022 6:30 AM
To: StevenE - Montague Town Administrator
Cc: Daniel F. Keenan; Janeice L. Arwady; Janice Hamilton-Crawford
Subject: RE: Assessment Report

Good morning Steve,

We appreciate that there is distinct interested among members of the community regarding Farren Care Center and its future.

With regard to the building assessments, they are proprietary to Trinity Health and will not be sharing them. We have shared summary details during the town meeting and provided written summary below.

- The assessment recommendation is for full demolition.
- The assessment included opinion on a strategic plan for future needs and use.

We can understand that some community members may feel that a different approach should be taken given Farren Care Center's long history in Turners Falls and townspeople's emotional connection to it. Our team's processes have been thorough and in keeping with industry standards for assessment, and given the condition of the building, we agree that demolition is the best option. We will continue to work through the appropriate processes toward demolition while maintaining the building and grounds. We have strived to be good citizens and to partner with the town and we feel that we are honoring our commitment.

Facility Condition Assessment Highlights

- Report dated 8/31/2021
- Scope of work:
 - Identify what is owned and assign a current replacement value to it
 - Identify what is current state of condition
 - Identify the estimated direct costs to maintain
 - Provide opinion on how to strategically plan for the future needs
- Critical findings
 - Direct Costs – By Priority, Year, and Term
 - Priority 1, Year 1 (immediate) \$23.8m
 - Priority 2, Year 2 (short-term) \$260K
 - Priority 3, Years 3 – 5 (short-term) \$3m
 - Priority 4, Years 6-10 (long-term) \$130k
 - Big-ticket priority items
 - Severely eroded mortar joints, water infiltration damage - \$1.5m
 - Exterior window replacement - \$500k
 - Roof replacement - \$2m
 - Flooring replacement throughout - \$3m
 - Mechanical upgrades \$4m
 - Electrical \$3.9m
 - Plumbing upgrades - \$1.7m (\$250k immediate, remaining over five years)

Summary

- Significant capital investment required to bring building to a proper inhabitable condition



May 28, 2021

Steven Ellis, Town Administrator
1 Avenue A
Turners Falls, MA 01376

RE: Preliminary Work Plan for Disposition of Farren Care Center

Dear Steven,

Guiding Principals

Before finalizing our plans, we need to complete our due diligence. We plan to safeguard the property in accordance with legal requirements until the disposition of the property. We have no intention of abandoning the property.

Due Diligence

The following items are all in progress:

- Property condition assessment
- Asbestos abatement assessment
- Demolition cost estimate
- Phase I Environmental
- Alta survey and legal review of deed provision with right of reverter

Completion of due diligence

We will make a decision about the best way to dispose of the property after the completion of the due diligence outlined above.

- Is a sale realistic, or do we need to demolish and perform required environmental cleanup. If the latter we will want to explore any possible assistance in covering those costs, whether from grants or the trusts that have supported that property since inception of the construction of the original hospital.
- If sale of the building is not feasible, we will consider sale of the site after demolition and cleanup, or other possible disposition of the property.

Pending the sale or other disposition of the Property

- We have established a plan for on-going property management
- We have a request out for bids for Security/fire monitoring of the property as a means to comply with fire marshal's request
- We will secure the building to keep trespassers out

Sincerely,

Janeice Arwady

Janeice Arwady
Director, Trinity Health Real Estate



MONTAGUE PLANNING AND CONSERVATION

ONE AVENUE A · TURNERS FALLS, MA 01376 ·
413-863-3200 EXT 207 — PLANNER@MONTAGUE-MA.GOV

Draft Feasibility Study Outline for Farren Care Center Property 8/24/2020

I. Site Assessment and Evaluation

- a. Site description – property location, parcel description, topography, wetlands and environmentally sensitive conditions, utilities, water and wastewater infrastructure, applicable zoning and other regulations (i.e. allowable uses, required setbacks, etc.).
- b. Description of buildings and their condition, including an architectural evaluation of the buildings' structure, and mechanical and electrical systems.
- c. Hazardous Building Materials Assessment.
- d. Environmental Site Assessment of property.
- e. Estimate costs to remediate any hazardous materials, demolish structures, and clear the site.

II. Market Feasibility Analysis

- a. Analyze supply and demand for potential reuse of the site, such as for health/medical, residential, commercial, industrial, or a mix of uses.
- b. After identifying potential market-driven reuse options,
 - i. Evaluate the financial feasibility for reuse of the site with modifications to the structure and/or selective demolition.
 - ii. Evaluate the financial feasibility for redevelopment of the site after cleared of structures.

III. Reuse/Redevelopment Scenarios

- a. Describe three reuse/redevelopment scenario options, include:
 - i. Conceptual designs
 - ii. Opinion of probable costs (as applicable) for project oversight, design and engineering, permitting, brownfields remediation, site preparation/demolition and/or building renovation, utilities and infrastructure retro-fit, and construction.
 - iii. Pro forma of estimated project costs, project revenues, operating costs, financing costs, net income or financing gap, and rate of return.
- b. Review funding resources applicable to the site. Note: Parcel located in Census Tract 25011040701, which is designated an Opportunity Zone and also eligible for New Market Tax Credits.

1 IV. Conclusion

- a. Summary of findings.
- b. Recommendations for next steps.

Farren Property Reuse Forum

February 7 2022

Timeline of Engagement and Advocacy

2018

- Feb. State Bond Bill includes \$30M for Farren Improvements

2019

- Nov. Initial Meeting at which sustainability discussed/questioned
Began work with legislators to advocate for renewal funds

2020

- Jan. Introduction to new management team – iCares
- Mar. Focus/Discussion turns to COVID Emergency Plan
- July 15 Met and were informed of intent to close Farren
- July 16 Memo sent to Trinity with Town/Legislator Requests
- Aug. 17 Received formal notice of intent to close facility

Timeline of Engagement and Advocacy

2020 (continued)

- Aug. 16 Met w/ Trinity, follow up on requests/action, estimated cost of redevelopment study (\$110,000)
- Sept. 8 Shared redevelopment plan, Trinity board to consider funding in October
- Sept. 16 Submitted testimony to DPH re Closure
- Oct Received assurance that study funds were allocated, no detail
- Nov. 2 DPH approves closure; iCares assumes license

2021

- Jan. Multiple inquiries re staff, patients and building study
Informed patient move priority before study discussion

Timeline of Engagement and Advocacy

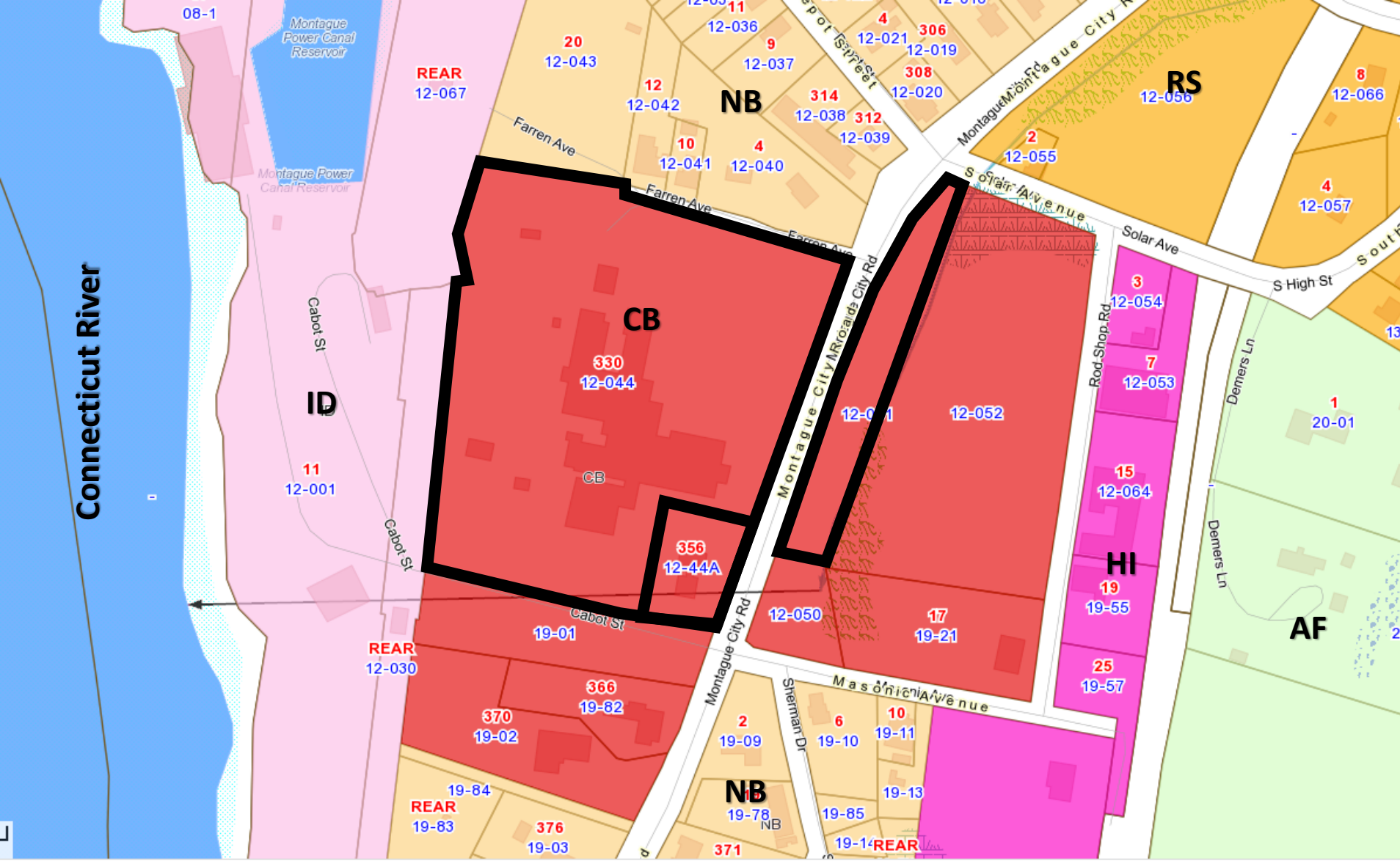
2021 (continued)

- April Patients out on April 16. Met w/ Trinity, received status memo
- May Meetings with RE Division. Received memo of assurance (5/28). Informed building assessments started – to be done in summer
- June Shared memo at Selectboard meeting, begin watchful waiting
- Aug. Received progress update, told ALL information would be shared
- Oct. Assessment complete, heard results, requested report
- Nov. Trinity meeting with public at SB meeting, requested report
- Dec. Requested report, told to expect later in month

2022

- Jan. 7 Response received, limited summary given, will not share report

Farren Property- Central Business Zoning

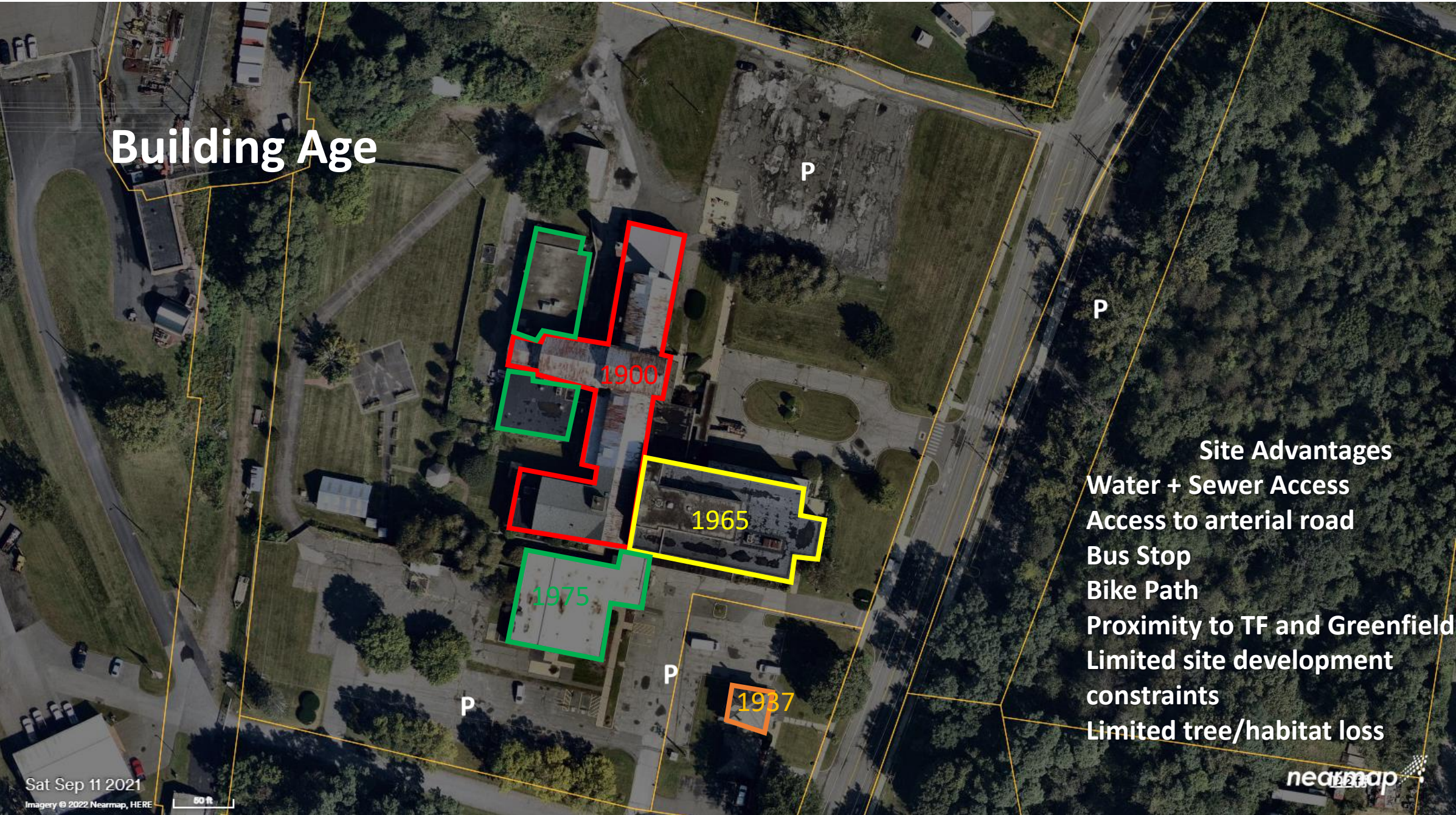


9 acres 3 parcels

Central Business District

- Parcel Designated CB in 2004
- Purpose: To allow for pedestrian-oriented downtown areas with mixed-use buildings and a range of retail and commercial services.
 - ✓ Mixed-use buildings
 - ✓ Housing
 - ✓ Medical services
 - ✓ Offices
 - ✓ Retail
 - ✓ Hotels

Building Age



- ### Site Advantages
- Water + Sewer Access
 - Access to arterial road
 - Bus Stop
 - Bike Path
 - Proximity to TF and Greenfield
 - Limited site development constraints
 - Limited tree/habitat loss

Sat Sep 11 2021

Imagery © 2022 Nearmap, HERE

50 ft

nearmap

Original Building (1900)



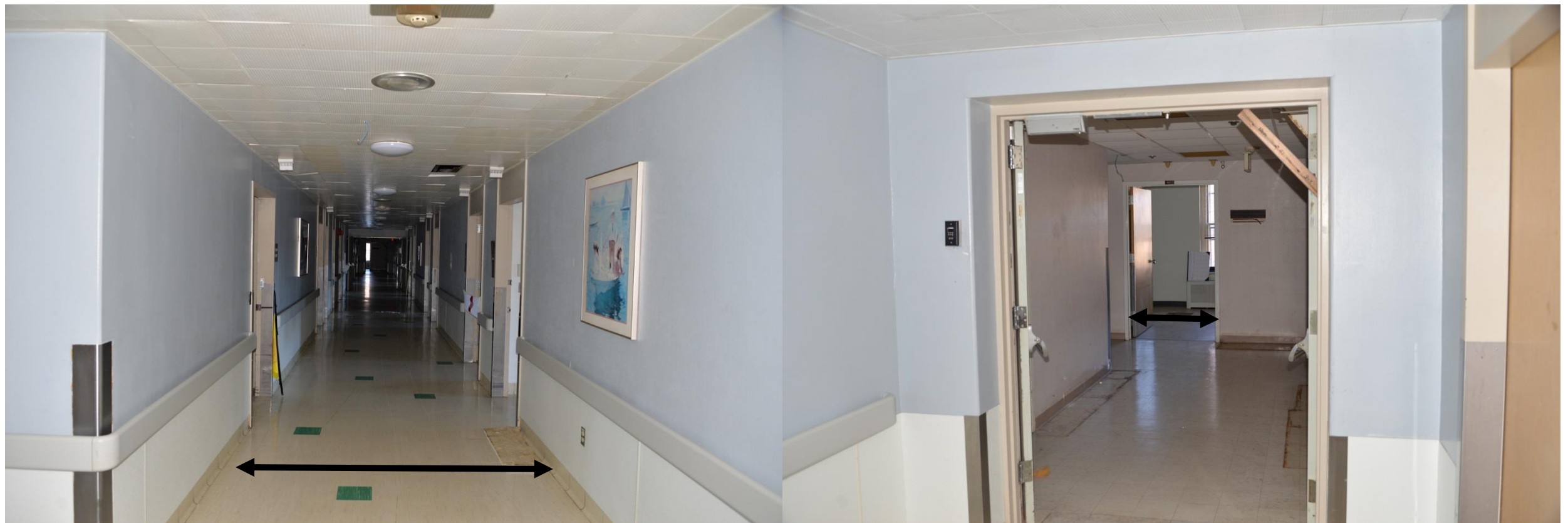
Photos courtesy of Montague Historical Society



Original Building
(1900)



1965 Addition



Photos courtesy of Montague Historical Society

Trinity Facility Condition Assessment 8/31/21

Big-ticket priority items

- Severely eroded mortar joints, water infiltration damage - \$1.5m
- Exterior window replacement - \$500k
- Roof replacement - \$2m
- Flooring replacement throughout - \$3m
- Mechanical upgrades \$4m
- Electrical \$3.9m
- Plumbing upgrades - \$1.7m (\$250k immediate, remaining over five years)

Information provided by Eric Dana-Regional Operations Director of Trinity Health on 1/7/ 22

Trinity Facility Condition Assessment 8/31/21

- Significant capital investment required to bring building to a proper habitable condition (over \$27M)
- Additional capital over-and-above would be required to renovate to a new use
- Limited to no opportunity for re-investment and re-use of this building
- Recommend building demolition, clean site, leave in condition ready for future development of vacant land

Information provided by Eric Dana-Regional Operations Director of Trinity Health on 1/7/ 22

Municipal tools to influence final outcomes

	Historic Register Listing	Demo Delay Bylaw	Zoning Bylaws	Municipal Ownership
Influence Level	LOW	LOW	MED	HIGH
Pros	<ul style="list-style-type: none"> • Could enable a developer to access to Historic Preservation Tax Credits 	<ul style="list-style-type: none"> • Could be used to delay demo by 6 or 12 months in hope that a viable preservation plan emerges 	<ul style="list-style-type: none"> • Limited Local control through Zoning + Special Permit Process 	<ul style="list-style-type: none"> • Town could select master developer for the site. • Opportunity for Public Private Partnership
Cons	<ul style="list-style-type: none"> • Not a regulatory tool • Can not prevent a private landowner from demolishing a property 	<ul style="list-style-type: none"> • Low success rate for actual preservation, • encourages current owner to offload the property. • Can not prevent a private landowner from demolishing a property 	<ul style="list-style-type: none"> • Local Zoning can be circumvented by 40B or zoning exemptions. 	<ul style="list-style-type: none"> • Town would acquire site liabilities (Carrying costs, abatement, building system repairs, maintenance). • The more liabilities acquired the more difficult and distant the success

Key Question: Where do we go from here?

Property Transfer Condition	Municipal Acquisition	Private 3 rd Party Acquisition
As-is or Partial Demolition	<p>PRO</p> <ul style="list-style-type: none"> Retain ability to pursue historic preservation <p>CON</p> <ul style="list-style-type: none"> Acquire all liabilities and carrying cost of maintaining a vacant hospital Limited redevelopment opportunities No guarantee of historic preservation 	<p>PRO</p> <ul style="list-style-type: none"> taxable asset during interim ability to pursue historic preservation <p>CON</p> <ul style="list-style-type: none"> Property is a risk to devolve into blight absent a ready, reliable and motivated developer Town has limited control over outcomes No guarantee of historic preservation
Full Demo/ Cleared site	<p>PRO</p> <ul style="list-style-type: none"> advantageous start point for redevelopment limited municipal liability <p>CON</p> <ul style="list-style-type: none"> forgone historic preservation opportunity 	<p>PRO</p> <ul style="list-style-type: none"> minimal municipal liability blight avoided <p>CON</p> <ul style="list-style-type: none"> limited control over outcome of development

7A+B

WendyB-Montague Selectboard

From: Walter Ramsey - Montague Planner
Sent: Thursday, February 3, 2022 9:35 AM
To: WendyB-Montague Selectboard
Cc: StevenE - Montague Town Administrator
Subject: 2/7 Agenda Items
Attachments: 18-222 Montague permit closure pro-final (2).pdf; 2010-TBA-Application_Montague_11PowerSt.doc

Hi Wendy,

Can you include these two items under me. Should take about 5 mins total.

- Execute addendum to services agreement with GZA GeoEnvironmental, Inc. dated 4/23/2020 for engineering services required by MassDEP to obtain final closure certification for the Corrective Action Design of the Sandy Lane Burn Dump. Estimated value of contract addendum is \$52,000. To be funded by an existing appropriation.
- Authorize Town Planner to submit a request to the EPA Brownfields Targeted Assessment Program for Phase II Environmental Site Assessment for 11 Power Street/ Griswold Mill Site (Assessors Map 03 Lot 027)

Walter Ramsey, AICP | Montague Town Planner | (413) 863-3200 x 112 | planner@montague-ma.gov



January 13, 2022
File No. 18-222

Walter Ramsey
Town Planner
Town of Montague
1 Avenue A
Turners Falls, MA 01376

Re: Corrective Action Design Modification
Former Sandy Lane Burn Dump
Montague, Massachusetts

GZA GeoEnvironmental, Inc. (GZA) is pleased to provide this proposal to The Town of Montague (Client) for engineering services required by the Massachusetts Department of Environmental Protection (MassDEP) to submit and request a Closure Certification for the Corrective Action Design (CAD) and Post Closure Use Permit (PCUP) for the Former Burn Dump.

This proposal has been prepared based on a site meeting with Walter Ramsey of the Town of Montague and Daniel Hall and James Scheffler of MassDEP on December 16, 2021, and a virtual meeting with Stephen Ellis and Walter Ramsey of the Town of Montague and Everett Tattelbaum and Andrew Bernstein of Kearsarge Energy on January 6, 2022.

PROJECT BACKGROUND

The original CAD was approved by MassDEP on April 5, 2019, under Transmittal Number X272789 and Authorization Number SW36-0000014. MassDEP issued a revised CAD approval (SW45-0000106) on March 12, 2021. The PCUP was approved by MassDEP on April 5, 2019, under Transmittal Number X281750 and Authorization Number SW36-0000014.

Construction earthwork and solar array installation activities commenced in the summer of June 29, 2020. Solar array construction was completed, and landfill closure construction was substantially completed in the Fall of 2021. GZA and the Town of Montague met with MassDEP on December 16, 2021, to review the construction and discuss closure certification.

A summary of the items discussed at this meeting are outlined below:

- MassDEP observed erosion in the Northeast portion of the solar array. Stormwater runoff from the array and canopy array system currently discharges to an eroded area of the stream embankment. This area of the eroded embankment was an existing condition prior to the landfill closure activities. MassDEP has recommended that Stormwater Best Management Practices (BMPs) are designed and installed in this area to collect and convey stormwater to the river in a non-erosive manner. The observed erosion caused by runoff from solar array equipment has increased the impacts of erosion on the river embankment. The remedial design for this area will include provisions to implement permanent erosion controls at the top of the river embankment. MassDEP indicated that slope stabilization measure may also be needed to stabilize the river embankment, to prevent future erosion and associated impact to the solar adjacent solar array system.

Envision for excellence
Protect our planet

400 Valley Street
Suite 100
Providence, RI 02906
Phone: 401.864.1000
Fax: 401.864.1001
www.gza.com



- Groundwater has caused upwelling on the landfill liner system in two areas upgradient of the sandfilter system. MassDEP recommended that an outlet should be designed and installed to convey this groundwater through the liner and into the sand filter in a way that does not cause damage to the landfill cover system.
- As a result of plugging the landfill underdrain systems (as required as part of the landfill closure), groundwater seepage and soil erosion has been observed south of the sandfilter outfall. A temporary mulch berm has been constructed in this area as temporary erosion control, to manage water discharging from the sandfilter and area groundwater seeps, and to prevent additional river embankment erosion. Water that discharges from this berm is conveyed to the river by an existing channel in the river embankment. Water seepage was observed along the river embankment downgradient of the berm. Failure of this berm would likely result in significant downgradient erosion to the river embankment. MassDEP recommended the temporary mulch berm and pond outfall area should be improved with a permanent BMP to detain and convey stormwater to the river in a non-erosive manner. This BMP should also encourage passive oxidization of the water for iron removal, prior to discharging to the river.
- MADEP will review the required depth, location and construction of the required soil gas monitoring locations to be installed north of the landfill and report back to the Town and GZA.
- In areas of the solar array where vegetation has not been established, the areas should be raked and re-seeded per the work plan submitted as part of PCUP and CAD application number 20-SW45-0015-APP. This work should occur during the Spring of 2022.
- There is an area where stormwater runoff bypasses the sandfilter collection swales and discharges directly into the ponded area behind the sand filter. This area should be graded to convey water to the sandfilter collection swales.

MassDEP advised the Town of Montague that the PCUP and CAD completion could not be completed until the above listed items are adequately addressed. As part of implementing the above remedial actions, MADEP will require to submittal of work plans for regulatory approval prior to constructing the work. MassDEP set a target date for completion of the above listed activities for the fall of 2022.

OBJECTIVES

GZA's objective is to provide engineering services to address the above listed items.

SCOPE OF SERVICES

Our engineering services will include the following work tasks:

Task 1. Limited Topographic Survey

GZA will complete a limited topographic and existing conditions survey of the northern erosion and southern berm areas of the site to develop an existing conditions / site plan. We will field locate visible site features including, asphalt edges, fences, solar equipment, and eroded areas. The surveys will be performed using a Leica CS30/GS18 GNSS Smart Antenna, GPS unit with Real time Kinematic (RTK) positioning and/or Topcon GTS-235W Total Station. The survey points will be uploaded into AutoDesk Civil 3D (ACAD) to create an existing conditions plan. The existing conditions plan will be used to design the proposed site modifications. GZA's figures will incorporate information obtained previous site plans into the existing conditions plan. GZA's survey will not contain property line information and will not be certified by a Professional Land Surveyor Licensed in the Commonwealth of Massachusetts.



Task 2. Northeast Erosion Area Design

GZA will design a stormwater management system and site grading modifications to manage overland runoff from reaching the riverbank slope area. Based on GZA's site visit and review of the approved PCUP figures, it is our opinion that stormwater runoff from the newly constructed solar car port canopy and solar panels that were constructed perpendicular to site slopes, adjacent to the river embankment are contributing the majority of the stormwater runoff to the river embankment. GZA will proposed to MassDEP that the erosion in this area is addressed as two phases. The first phase will be the design and installation of stormwater BMPs to collect and manage stormwater runoff from the solar array components highlighted above. Following the construction of the proposed BMPs, GZA and the Town will monitor stormwater runoff flowing to the riverbank slope and further evaluate with the Town and MassDEP if additional engineering design and construction is needed to stabilize the river embankment. It is GZA's opinion, the stream embankment erosion was ongoing prior to the landfill closure project and associated solar array construction and any required additional stream embankment stabilization work should not be addressed as part of the landfill closure. Any stream embankment stabilization work should be conducted as part of a large-scale stream embankment restoration project, as the stream embankment is eroded for several hundred feet through the length of stream channel alignment. Our Stormwater Management Design will be in conformance with the MassDEP Wetlands Program Policy 17-1: Photovoltaic System Solar Array Review (WP-17) and MassDEP's *Stormwater Handbook and Stormwater Standards* dated February 2008 (Stormwater Handbook).

GZA will design top of bank stabilization measures and BMPs to manage stormwater discharge at the top of river embankment. We will prepare engineering calculations and develop construction level drawings detailing the proposed repairs and associated BMPs. The plan set will include a cover sheet, existing conditions plan, erosion and sedimentation control plans to support construction activities, associated profiles and details, a stormwater management plan, site restoration plans and associated construction details, miscellaneous notes and construction specifications.

The drawing packages will be developed as construction level drawings with adequate information required to solicit contractor bids. GZA will work directly with client to develop the proposed repair design and will submit the drawings at the 60% design phase for Client and MassDEP review before they are finalized. We anticipate that our final design package will include the following drawings:

- Cover Sheet;
- Existing Conditions Plan;
- Soil Erosion and Sediment Control Plan;
- Stormwater Management Plan
- Site Restoration Plan; and
- Construction Details and Specifications (up to 3-sheets).

Our budget estimate for this task includes addressing one round of edits associated with the Clients 60% design review comments and one round of comments from MassDEP for the drawing package. Our budget does not include engineering services to stabilize the river embankment.

Task 3. Groundwater Upwelling Design

On October 28, 2021, an inflatable plug was installed to close landfill's existing corrugated metal underdrain pipe (CMP) in accordance with the CAD permit. GZA observed the landfill on a routine basis after the closure of the CMP to identify potential impacts caused by the anticipated increase in the site's groundwater table. Approximately 1-week after the closure, groundwater was observed to have penetrated through the LLDPE liner at two locations in the collection swale. GZA will design an outlet to convey this groundwater upwelling through the liner and into the stormwater management



system in a way that does not cause further damage to the landfill cover system. GZA's deliverable for this task will be a detail drawing of the proposed outlet system.

Task 4. Southern Berm and Erosion Design

A temporary mulch berm was constructed downgradient of the stormwater management system during construction as part of the site's temporary sediment and erosion control plan. This berm currently detains ponded water from the stormwater management system, access road runoff and groundwater breakout associated with the CMP closure. Water exits this berm as channelized flow and causes erosion along the riverbank. GZA will design a stormwater management basin to replace the temporary mulch berm. The stormwater management basin design will include an outlet device to detain and slow the flow of stormwater and then convey the stormwater to the river in a non-erosive manner.

As required, GZA will design slope stabilization measures and a method to control the conveyance of stormwater from top of slope to river. We will prepare engineering calculations and develop construction level drawings detailing the proposed repairs and modifications to the site slope. The plan set will include a cover sheet, existing conditions plan, erosion and sediment control plans to support construction activities, associated profiles and details, stormwater conveyance, and site restoration plans and associated construction details, and miscellaneous notes and construction specifications.

The drawing packages will be developed as construction level drawings with adequate information required to solicit contractor bids. GZA will work directly with client to develop the proposed repair design and will submit the drawings at the 60% design phase for Client and MassDEP review before they are finalized. We anticipate that our final design package will include the following drawings:

- Cover Sheet;
- Existing Conditions Plan;
- Soil Erosion and Sediment Control Plan;
- Stormwater Management Plan
- Site Restoration Plan; and
- Construction Details and Specifications (up to 3-sheets).

Our budget estimate for this task includes addressing one round of edits associated with the Clients 60% design review comments and one round of comments from MassDEP for the drawing package.

Task 5. Opinion of Probable Cost

GZA's deliverables for this task will be an opinion of the construction cost for construction activities associated with the Northeast Erosion Area, Southern Berm and discharge area and groundwater upwelling. Construction cost will be estimated using data from the MassDOT, RS Means, and GZA's project experiences. GZA will provide the opinion of probable cost for client review after preliminary designs have been completed.

Task 6. MassDEP Coordination

GZA will prepare and submit required work plans and permit modification application to MassDEP for the proposed construction activities. GZA has assumed that application fees will be paid directly by the Town to MassDEP, if required. A representative from the Town will be required to sign the application. Drawings, calculations, and design reports generated as part of the above listed tasks will be used to create application packages and/or work plans.



Task 7. Construction Phase Services

GZA will provide third-party, independent construction observation and documentation services overseen by a Professional Engineer Registered in the Commonwealth of Massachusetts. GZA construction observation personnel will be knowledgeable in landfill design and construction. GZA's construction observation personnel will observe the overall construction of the restoration areas and document the work in writing and with representative photographs. Construction observation will be performed under the direct supervision of a Professional Engineer Registered in the Commonwealth of Massachusetts and will perform construction oversight responsibilities in accordance with the MassDEP Landfill Technical Guidance Manual (1997).

The duties GZA construction oversight personnel will include:

- Observation of the installation and construction of the components of the stormwater management and slope stabilization methods
- Confirm the final grades via RTK GPS
- Observation and confirmation of QA/QC testing and data generated by the testing program;
- Documentation of construction and QA/QC activities

GZA's field engineer will be responsible for the coordination and verification of QA/QC activities including confirmation of material conformance to design specifications, geomembrane liner field testing data, soil compaction testing data and site-line and grade survey data.

After site visits, GZA will produce a written field summary documenting the number of on-site site personnel, equipment operating, work performed during the visit, general site housekeeping, conformance to best practices, adherence to construction documents and permits and documentation of construction means, and methods and materials installed. GZA's documentation will be limited to the work observed during the site visit.

GZA's construction oversight personnel will be supported by GZA's Project Manager and Principal in Charge. GZA's project manager is responsible for the review of daily field reports, review of construction submittals from the site contractor, communication of construction status to town and MassDEP officials and compilation of bi-weekly construction reports. GZA's Project Manager will also perform site visits as required to address issues and concerns encountered during construction. This proposal includes 9 full time days of site visits and 2 site visits by the Project Manager.

GZA's Principal-In-Charge for the project maintains ultimate responsibility for work staffing, completion, and conformance to the MassDEP approved CAD permit.

Task 8. Project Meetings

GZA will attend up to four (4) project meetings in the Montague area a unit cost basis, as needed, at the request of the Client at a cost of \$750 per meeting

BASIS OF CHARGES AND FEE ESTIMATE

Our estimate to complete the scope of work described above is itemized in the table below. Billings for GZA's professional services will be on a lump sum basis in accordance with the estimates provided in the table below.



Task		Cost
Task 1	Limited Topographic Survey	\$4,000
Task 2	Northeast Erosion Area Design	\$13,000
Task 3	Groundwater Upwelling Design	\$3,000
Task 4	Southern Berm and Erosion Design	\$7,000
Task 5	Opinion of Probable Cost	\$2,500
Task 6	MassDEP Coordination	\$4,500
Task 7	Construction Phase Services	\$15,000
Task 8	Project Meetings	\$3,000
Estimated Total Cost		\$52,000

SCHEDULE

GZA will be able to start work immediately upon the receipt of the Notice to Proceed. We estimate that it will take approximately six (6) weeks to produce conceptual designs and provide the Town with an Opinion of Probable Cost. It will take an additional (5) weeks to produce final designs for submission to MADEP.

TERMS AND CONDITIONS AND PROPOSAL ACCEPTANCE

This proposal is considered an addendum to our executed agreement for services dated April 23, 2020, and is subject to the same Terms and Conditions of Engagement. Notwithstanding the foregoing, You agree to hold harmless, indemnify, and defend GZA and its affiliates and subcontractors and their employees, officers, directors and agents (collectively referred to in this paragraph as "GZA") against all claims, suits, fines and penalties, including mandated cleanup costs and attorneys' fees and other costs of settlement and defense, which claims, suits, fines, penalties or costs arise out of or are related to this Agreement or the services, except to the extent they are caused by GZA's negligence or willful misconduct. GZA will not be responsible for the acts or omissions of engineer, contractors or others at the Site, except for its own subcontractors and employees. GZA will not supervise, direct or assume control over or the authority to stop any other party's work, nor shall GZA's professional activities nor the presence of GZA or its employees and subcontractors be construed to imply that GZA has authority over or responsibility for the means, methods, techniques, sequences or procedures of construction, for work site health or safety precautions or programs, or for any failure of other party's to comply with contracts, plans, specifications or laws.

This proposal may be accepted by signing in the appropriate spaces below and returning one complete copy (with attachments) to us. This Proposal for Services and Terms and Conditions shall constitute the entire agreement between the parties. The fees in this proposal may be subject to change if not accepted within 30 days from the date of issue. Issuance of a purchase order implicitly acknowledges acceptance of the attached Terms and Conditions.

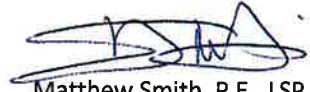



Thank you for the opportunity to submit this proposal. If you have any questions, please do not hesitate to call us.

Very truly yours,

GZA GEOENVIRONMENTAL, INC.


Ryan DaPonte, P.E.
Project Manager


Matthew Smith, P.E., LSP
Consultant Reviewer


Todd R. Greene, P.E. ^{RI}
Associate Principal

This Proposal for Services and Terms and Conditions of Engagement are hereby accepted and executed by a duly authorized signatory, who, by execution hereof, warrants that he/she has full authority to act for, in the name of, and on behalf of The Town of Montague.

TOWN OF MONTAGUE

By: _____ Title: _____

Typed Name: _____ Date: _____

Billing Address (if different from above):

P:\2018\18-222.EAS\MONTAGUE 2\CN2\18-222 MONTAGUE PERMIT CLOSURE PRO-FINAL.DOCX



EPA BROWNFIELDS TARGETED ASSESSMENT APPLICATION FORM

(Use only for sites in EPA Region 1)



APPLICANT ORGANIZATION:* Town of Montague

ADDRESS: 1 Avenue A

CITY: Turners Falls

STATE: MA

ZIP: 01376

CONTACT PERSON: Walter Ramsey
863-3222

PHONE: 413-863-3200 x207

FAX: 413-

EMAIL: planner@montague-ma.gov

* If Non-Profit, please attach support letter from municipality where property is located

SITE NAME: 11 Power Street/Railroad Salvage/Griswold Cotton

SITE ADDRESS: 11 Power Street

CITY: Turners Falls

STATE: MA

ZIP: 01376

CURRENT SITE OWNERSHIP:

NAME: Solutions Consulting Group

ADDRESS: 28 Sheridan St

CITY: Chicopee

STATE: MA

ZIP: 01020

PHONE (if known):

AMOUNT OF DELINQUENT PROPERTY TAXES (if any): \$55,423

ASSESSED VALUE: \$159,300

APPRAISED VALUE: \$

IF PROPERTY OWNED BY APPLICANT, ACQUISITION BY:

Foreclosure Eminent Domain Purchase (Price: \$) Other

IF OTHER, EXPLAIN:

DATE OF ACQUISITION:

IF PROPERTY NOT OWNED BY APPLICANT, DOES APPLICANT ENVISION DIFFICULTY IN OBTAINING LEGAL PERMISSION TO ENTER THE PROPERTY TO CONDUCT SITE ASSESSMENT ACTIVITIES? Yes No

EXPLAIN:

IS APPLICANT OR ANY OTHER PARTY UNDER ORDER FROM EPA OR STATE AGENCY TO CONDUCT SITE ASSESSMENT AND/OR CLEANUP? Yes (describe below) No Unknown

BRIEFLY DESCRIBE ANY HISTORICAL OR CURRENT INVOLVEMENT/ROLE OF STATE ENVIRONMENTAL AGENCY IN ENFORCEMENT AND OVERSIGHT OR FUNDING OF ASSESSMENT/CLEANUP OF CANDIDATE SITE:

SITE ZONING: Historic Industrial
map, if available)

TOTAL ACREAGE OF SITE: 2.27 acres

(attach site

BUILDINGS ON SITE

SQUARE FOOTAGE

CONDITION (e.g., usable, partially razed, gutted by fire, etc.)

0

N/A

N/A

--

<u>PAST SITE USES</u> (type of manufacturing, etc.)	<u>APPROXIMATE DATES</u>
Cotton mill for light sheeting, bandages and cotton gauzes (from 1884 to about 1950, by multiple owners)	1880s 1950
Retail store and warehouse (from 1950s to last business closed in 1994)	1994

PRIOR SITE ASSESSMENT ACTIVITIES:
 None Unknown ASTM Phase I (Date Completed: 1-Jun-05)
TYPE OF CONTAMINATION: Petroleum Only Hazardous Substances

DESCRIBE CONCLUSIONS OF PRIOR SITE ASSESSMENT ACTIVITIES (or attach "conclusion" section of report(s)). IF REPORTS ARE UNAVAILABLE, IDENTIFY CONSULTANT, CLIENT, AND APPROXIMATE DATE OF STUDY: Past assessment activities include: Phase I ESA (June 2005), Phase II ESA (November 2007), and "Engineering Report of Griswold Cotton Mill Collapse Investigation" (March 2008). These reports were conducted by Tighe & Bond, Inc. through the FRCOG Regional Brownfields Program as funded by an EPA brownfields assessment grant and are available upon request. An attached file contains the conclusions from this report. It is important to note that all of these reports were done prior to a fire on December 31, 2016 that destroyed what was left of the partially collapsed structure. A review of assessment activities is included in the EPA Region 1 Memo from September 16, 2020 regarding the request for an EPA removal action at the Railroad Salvage/Griswold Cotton Mill Site (attached). According to this memo, "Although several environmental studies have occurred since 2007 document building and environmental conditions, no remediation has occurred. Quantities and concentrations identified in these studies have not change so it is expected that ACM and potentially other contaminants remain throughout the building rubble and fire debris." The EPA Region 1 Response Team completed a building debris removal action on the site in August 2021, which removed 2,268 tons of ACM. Also attached is POLREP#9 that describes the removal action activities conducted.

SITE ASSESSMENT NEED:

DESCRIBE SITE ASSESSMENT ACTIVITIES BEING REQUESTED AND ESTIMATED COSTS: The Phase II ESA completed in 2007 did not include a GPR survey or samples from soil borings or groundwater monitoring wells in the building's footprint or adjacent to the building's northwest side, due to instability of the partially collapsed structure. After the EPA Removal Action in 2021, this area of the site is now safe to access. As the Town of Montague continues in its process to acquire the site through tax title proceedings and has plans to return the site to productive use for residential or mixed-use purposes, a Phase II to confirm the status of the property in and around the building footprint is sought. An estimate for this work is not known.

ANTICIPATED FUTURE USE: Residential Recreational Commercial/Retail Industrial

DESCRIBE APPLICANT'S PROPOSED REUSE PLAN: The property is located in the Village of Turners Falls' historic industrial canal district, which has been a primary planning focus for years for the Town. The Town was awarded real estate technical assistance from MassDevelopment in December 2020 to prepare redevelopment scenarios. The Town proposes the site be redeveloped for mixed-income housing. As this is a rural area with limited infrastructure and transit services, having a mixed income development within walking distance to employment opportunities, shopping, services and public transit is in demand. In addition, the Village of Turners

Falls (in Montague) is an economically distressed area that has an emerging arts and culture scene (which has been impacted by COVID). A mixed income residential development would provide much needed affordable units in the region as well as market rate units attractive to people wanting to engage in this creative community. In addition, recent and pending public investments is increasing the viability of the area for redevelopment. A current MassWorks grant is funding improved pedestrian access and an extension of water/sewer infrastructure, and MassDOT has programmed three bridge projects in the area to be undertaken in the next few years, including the bridge that serves as the primary access to 11 Power Street, which was restricted to one-way years ago.

DESCRIBE ANY FINANCIAL INCENTIVES PLANNED BY APPLICANT TO SPUR DEVELOPMENT (tax incentives, etc.): The Town of Montague is proposing to create a Smart Growth Overlay District that would include this site. Such a district would establish straightforward zoning to allow a developer to create a concentration of mixed income (including affordable) housing units on the property. The property is also located within a federally designated Opportunity Zone and a New Market Tax Credits eligible Census Tract.

DESCRIBE PROPOSED FUNDING SOURCES AND AMOUNTS FOR SITE CLEANUP (EPA program is for site assessment only, no cleanup money is being offered as part of this program): If remediation is required, the Town will make every effort to secure funding to complete the clean-up. In the past, the Town has financed remediation activities at the former Strathmore Mill, a town-owned mill complex also in the historic canal district, using competitive CDBG funds and a loan and sub-grant from the EPA-funded Franklin Regional Council of Governments Brownfields Clean-up Revolving Loan Fund (which has since been closed out). The Town will make similar efforts to complete remediation at this site.

BRIEFLY DESCRIBE ANY PUBLIC INTEREST AND/OR COMMUNITY INVOLVEMENT IN SITE REUSE PLANNING ACTIVITIES TO DATE: Extensive public engagement was essential in creating the Turners Falls Livability Plan in 2013, which identified the historic canal district (including the 11 Power Street) as a priority area for redevelopment. Subsequent visioning and planning efforts for the canal district included public engagement and all presentation and report materials remained posted on the Town's website (<https://www.montague-ma.gov/p/1485/Canal-District-Redevelopment>). Most recently, the Montague Select Board has discussed potential reuse scenarios for the site at public meetings, which were reported in the local newspaper articles.

As a result of the Small Business Liability and Brownfields Revitalization Act (Public Law 107-118, 01/11/2002), certain changes were made in the Brownfields program. Petroleum, controlled substances and mine scarred land are now eligible for funding. Additionally, certain sites are no longer eligible for funding and other sites may be eligible for funding after EPA makes a "Property Specific Determination for Funding". The following questions need to be answered as part of the evaluation process.

SITES NOT ELIGIBLE FOR FUNDING:

1. Facilities listed (or proposed for listing) on the National Priorities List.
2. Facilities subject to U.S. EPA unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA.

3. Facilities that are subject to the jurisdiction, custody or control of the United States Government.

SITES NOT ELIGIBLE FOR FUNDING WITHOUT A PROPERTY SPECIFIC DETERMINATION:

Please answer the following questions to the best of your knowledge:

1. Is your site/facility subject to an ongoing U.S. EPA CERCLA removal action? YES NO
2. Is your site/facility subject to an unilateral administrative order, court order, administrative order on consent or judicial consent decree or to which a permit has been issued by the United States or an authorized state under the Solid Waste Disposal Act (as amended by the Resource Conservation and Recovery Act (RCRA)), the Federal Water Pollution Control Act (FWPCA), the Toxic Substances Control Act (TSCA), or the Safe Drinking Water Act (SWDA)? YES NO
3. Is your site/facility subject to U.S. EPA corrective action orders under RCRA (sections 3004(u) or 3008(h)) and to which a corrective action permit or order has been issued or modified to require the implementation of corrective measures? YES NO
4. Is your site/facility a land disposal unit that has filed a closure notification under subtitle C of RCRA and to which closure requirements have been specified in a closure plan or permit? YES NO
5. Has your site/facility had a release of polychlorinated biphenyls (PCBs) that is subject to remediation under TSCA? YES NO
6. Has your site/facility received funding for remediation from the Leaking Underground Storage Tank (LUST) Trust Fund? YES NO

Note: If you have answered Yes to any of these questions, you will need to prepare a "property specific determination". Please contact Alan Peterson at the email address or phone number below for further information.

PETROLEUM ONLY SITES:

Please answer the following questions to the best of your knowledge:

1. Please perform a title search and list all of the former owners of the site:
2. Did any of the former owners cause/contribute to the contamination at the site? YES NO
Please List:
3. Are any of the former owners financially able to conduct the site assessment? YES NO

SUBMIT COMPLETED FORMS TO:

Alan Peterson - Targeted Brownfields Assessment Program Lead
US Environmental Protection Agency - New England Region
5 Post Office Square, Suite 100 (OSRR07-2)
Boston, MA 02109-3912
Phone: (617) 918-1022
Email: peterston.alan@epa.gov

**TURNERS FALLS HYDROELECTRIC PROJECT
FERC PROJECT NO. 1889**

**NORTHFIELD MOUNTAIN PUMPED STORAGE PROJECT
FERC PROJECT NO. 2485**

**AGREEMENT IN PRINCIPLE TO DEVELOP
A RELICENSING SETTLEMENT AGREEMENT**

February X, 2022

WHEREAS, FirstLight MA Hydro LLC and Northfield Mountain LLC (collectively, FirstLight) are the Federal Energy Regulatory Commission (FERC) licensees for the Turners Falls Hydroelectric Project, FERC Project No. 1889 (Turners Falls Project) and Northfield Mountain Pumped Storage Project, FERC Project No. 2485 (Northfield Mountain Project), respectively. Both the license for the Turners Falls Project and the license for the Northfield Mountain Project expired April 30, 2018. The Projects have been operating on annual licenses pursuant to Section 15 of the Federal Power Act (FPA) since that time.

WHEREAS, in accordance with the requirements of the FPA and FERC's regulations, FirstLight filed a Final Application for New License (FLA) for the Turners Falls and Northfield Mountain Projects with FERC on April 29, 2016. Because certain environmental studies had not yet been completed as of the statutory deadline for filing of the FLA, FirstLight filed a separate Amended Final License Application for each Project on December 4, 2020 (AFLA), including FirstLight's proposed protection, mitigation and enhancement (PM&E) measures to be included in the new licenses and the scientific and evidentiary basis for those measures.

WHEREAS, since filing of the AFLAs, FirstLight has been engaged with federal and state resource agencies, local communities, environmental organizations, Native American Tribes, and other stakeholders to consider agency and stakeholder proposals for additional PM&E measures on a broad range of issues pertaining to fish passage, streamflows, recreation, and cultural resources, with the goal of developing a comprehensive settlement agreement that resolves all outstanding issues for the relicensing of the Projects and associated regulatory approvals, including water quality certification under section 401 of the Clean Water Act and compliance with section 7 of the Endangered Species Act.

WHEREAS, FirstLight has been engaged specifically with the Parties to this Agreement in Principle (AIP), including Appalachian Mountain Club, American Whitewater, Access Fund, Connecticut River Conservancy, Crab Apple Whitewater Inc, Franklin Regional Council of Government, Massachusetts Department of Conservation and Recreation, National Park Service, New England FLOW, New England Mountain Bike Association, Town of Erving, Town of Gill, Town of Montague, Town of Northfield, Western Massachusetts Climbers' Coalition, and Zoar Outdoors, on recreation improvements at the Projects. The Parties have now achieved conceptual agreement on a proposal for recreational improvements designed to function as part of a framework for the development of a Final Settlement Agreement resolving all issues relating to the relicensing of the Projects.

NOW, THEREFORE, the Parties agree in principle as follows:

PART I: OVERVIEW AND INTENT

- A. The Parties agree to negotiate a Final Settlement Agreement collaboratively and in good faith as soon as possible. The intent of the Parties is to execute a Final Settlement Agreement no later than June 30, 2022, that would resolve all issues related to the Project relicensings, including outstanding issues not covered by this AIP.
- B. Each Party to this AIP agrees that it will not use negotiation of the Final Settlement Agreement as an opportunity to renegotiate the measures on which the Parties have conceptually agreed as set forth in Part II of this AIP.
- C. As soon as possible following execution of a Final Settlement Agreement, FirstLight will submit the Final Settlement Agreement to FERC as an offer of settlement pursuant to 18 C.F.R. § 385.602, accompanied by an Explanatory Statement.
- D. The Final Settlement Agreement will include PM&E measures in the form of proposed license articles and/or proposed management plans that the Parties will jointly request FERC to include in the new Project licenses.
- E. The Final Agreement may also include measures that will not be included in the new Project licenses but they will be independently enforceable.
- F. The Parties anticipate that the Final Settlement Agreement will contain provisions to encourage federal and state agencies with independent regulatory authority to impose conditions on the FERC Project licenses, to the extent they exercise such authority, to do so in a manner that is consistent with the Final Settlement Agreement. The Parties further expect that the Final Settlement Agreement will include language that commits the Parties not to challenge license conditions that are consistent with the Final Settlement Agreement, or advocate for license conditions that are inconsistent with the Final Settlement Agreement.
- G. Notwithstanding anything in this AIP or Final Settlement Agreement, the Parties acknowledge and agree that certain discretionary permits, licenses and approvals may be required to use the subject properties and/or to perform the PM&E measures described in this AIP, and that nothing herein shall be deemed to waive any Party's obligations to apply for and comply with all such permits, approvals and conditions, and no Party hereby guarantees that any such permits, licenses or approvals will be granted. The Parties further acknowledge and agree that any use of and/or work done with respect to the properties and/or the PM&E measures described in this AIP or Final Settlement Agreement will be done in accordance with all applicable federal, state and local laws, and nothing in this AIP or in the Final Settlement Agreement will be construed as a waiver of any Party's right to enforce the laws within its jurisdiction, said enforcement rights being expressly retained.
- H. All Parties enter into this AIP without any admission of law or fact. The Parties acknowledge that the Final Settlement Agreement must include other material terms that have not yet been agreed upon (for example erosion) and is subject to agreement on language embracing all of the terms agreed to in principle as set forth in Part II herein.

- I. The Parties recognize that the Final Settlement Agreement and any other related agreements negotiated pursuant to this AIP are subject to formal and final review and approval of the Parties' management, executives, boards of directors, and other leadership, as necessary and appropriate to comply with corporate, municipal and agency requirements.
- J. All Parties recognize and acknowledge that this AIP is not legally binding and does not give rise to any enforceable rights in contract.
- K. Unless and until a Final Settlement Agreement is executed by the Parties, any Party may take any action before FERC or any other agency as that Party unilaterally determines necessary to protect its interests.
- L. In the event that this AIP does not culminate in a Final Settlement Agreement, it shall be null and void. No Party shall use this AIP as evidence of any other Party's position on any issue addressed in this AIP.

PART II: PROTECTION, MITIGATION AND ENHANCEMENT MEASURES- RECREATION

1 RECREATION

Since the inception of the Northfield Mountain Project, FirstLight and the predecessor owners of the Northfield Mountain and Turners Falls Projects have been major providers of recreation facilities and programs to the local communities and region, at large. FirstLight agrees to maintain and provide the existing recreation features already in its existing license. In addition, FirstLight agrees to provide additional recreation features and other measures associated with recreation as outlined in [Table 1.0-1](#).

Recognizing that FirstLight has capital commitments on several PM&E measures in this AIP, FirstLight will complete the construction of the proposed License and Off License recreation facilities described in [Table 1.0-1](#) within 5 years of license issuance.

[Figure 1.0-1](#) and [1.0-2](#) show the existing and proposed recreation facilities.

The Final Settlement Agreement will include new Recreation Management Plans (RMP) for the Northfield Mountain Project and Turners Falls Project, which will supersede the RMPs FirstLight filed in its AFLA. The new RMPs will reflect the recreation measures contained in this AIP. FirstLight has agreed that the RMPs will be revisited once every 10 years to evaluate recreation use and demand in consultation with stakeholders. The signatories to this Agreement will be provided with 30 days to comment on any proposed changes to the RMP prior to submission of the RMP to FERC for approval.

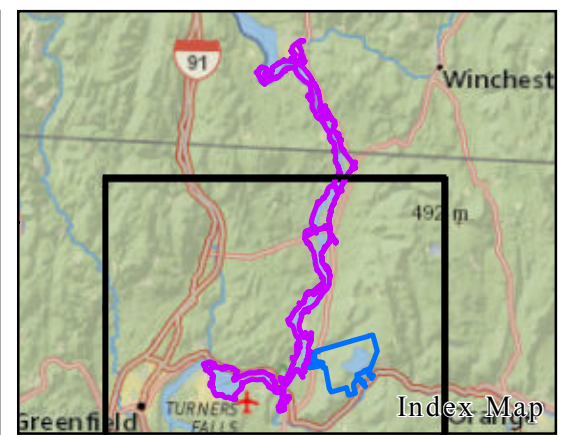
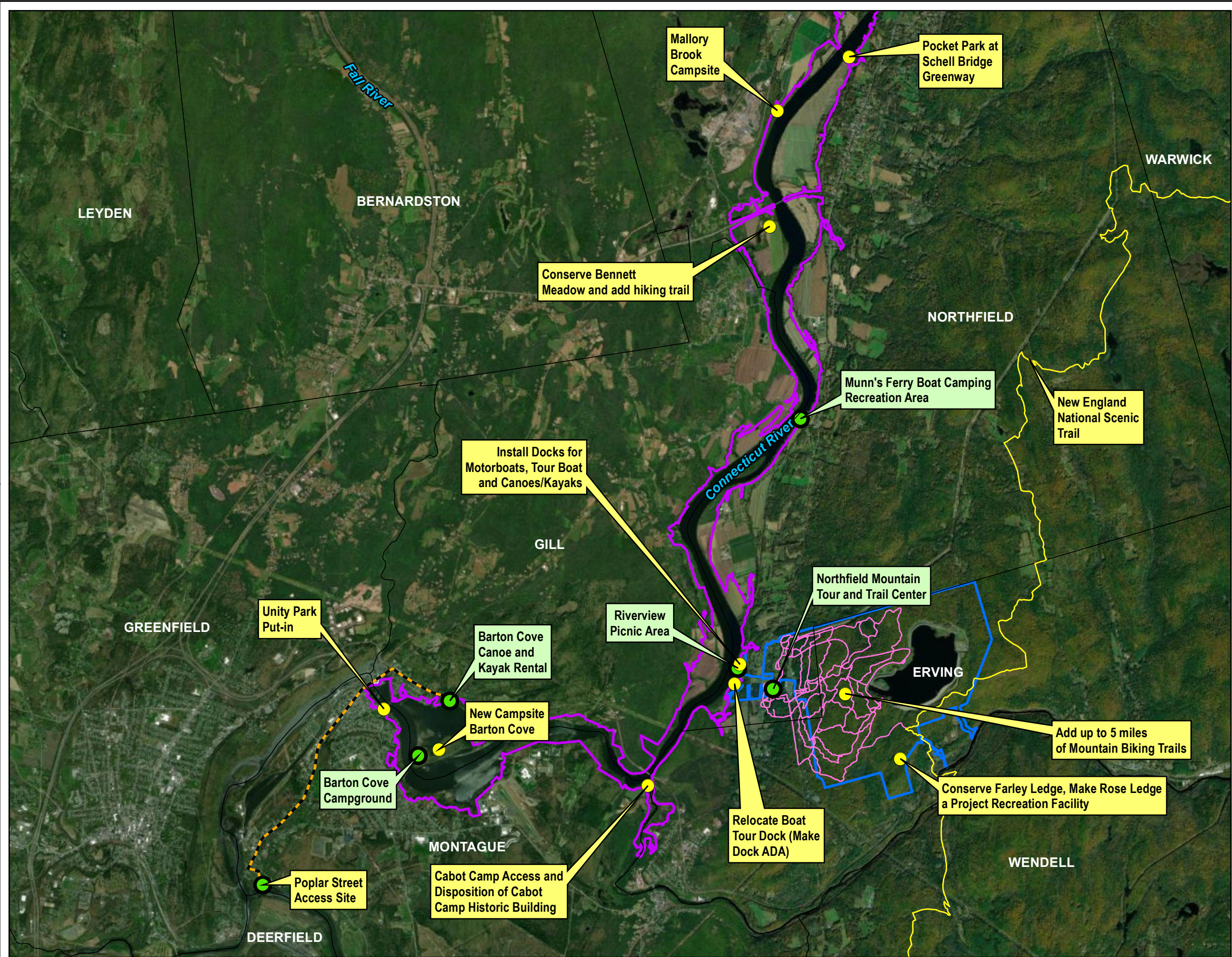
Table 1.0-1 Existing and Proposed Recreation Facilities or Features at the Northfield Mountain and Turners Falls Projects, Listed by Town

Recreation Facility or Feature	Existing or Proposed	Part of NFM or TF License	License or Off License
Town of Northfield			
<u>Bennett Meadow</u> <ul style="list-style-type: none"> FirstLight will permanently conserve FirstLight’s lands within Bennett Meadow that are not already under conservation easement, pending consultation with the Massachusetts Division of Fisheries and Wildlife (MDFW) on needs for hunting. FirstLight will also add a trail at Bennett Meadow and include historical and cultural interpretation. 	Proposed	Northfield	License
<u>Munn’s Ferry Boat Camping Recreation Area</u> <ul style="list-style-type: none"> Water access only camping sites. Pedestrian footbridge. Tent campsites, each with trash can, tent platform, picnic table, grill, and some fire rings. 	Existing	Northfield	License
<u>Riverview</u> <ul style="list-style-type: none"> Parking lot for 54 vehicles, 2 ADA. Provides picnic tables (10) and grills along the river, Pavilion (8 tables), ADA compliant restrooms, benches. Tours on the Riverboat travelling between Barton Cove and Riverview. Site currently includes dock for Riverboat tours. FirstLight to relocate the dock that would be enclosed by the proposed fish barrier net. FirstLight to provide for an ADA-accessible dock layout that supports motor boats, canoes/kayaks, and Riverboat in consultation with the Town of Northfield and the Massachusetts Department of Conservation and Recreation (MDCR). 	Existing Proposed Proposed	Northfield	License License License
<u>Northfield Mountain Tour and Trail Center (also includes the Town of Erving)</u> <ul style="list-style-type: none"> Parking for up to 50 vehicles, 3 ADA. Visitors Center with self-guided interpretive displays, meeting rooms, lounge and ADA accessible restrooms. Offers recreation and environmental education programs year-round. 25 miles of trails used for mountain biking, x-country skiing, snowshoeing, horseback riding and walking. Mountaintop Observation Deck. Retain seasonal ski equipment rentals at the Northfield Visitors Center and continue to maintain ski trails. FirstLight will add up to 5 miles of new trails for mountain biking to be designed in consultation with the New England Mountain Bike Association (NEMBA) and the MDCR. FirstLight to donate used sporting equipment to local youth organizations. 	Existing Proposed Proposed	Northfield	License License License
<u>Turners Falls Impoundment Access and Viewing (also includes the Town of Gill)</u> <ul style="list-style-type: none"> FirstLight to provide paddle access camping at 2 new campsites in coordination with the Appalachian Mountain Club (AMC): one in the Barton Cove area in Gill and the other (if possible) at Mallory Brook in Northfield. FirstLight will install one pocket park at the Pauchaug-Schell Bridge Greenway and include signage for historical and cultural interpretation. FirstLight will install another pocket park at a location to be determined in Northfield, or an equivalent investment for a single river access point in consultation with the Parties, which may include signage for historical and cultural interpretation. The second pocket park will be in Northfield; the access point may not be in the town of Northfield. 	Proposed Proposed Proposed	Northfield	License License Off-License
Town of Erving			
<u>Climbing Ledges</u> <ul style="list-style-type: none"> FirstLight will make Rose Ledge a designated Project Recreation Facility to allow climbing as it is already in the Project Boundary. FirstLight will permanently conserve Farley Ledge for climbing and other recreation purposes. 	Proposed Proposed	Northfield	License Off-License
Town of Montague			
<u>Cabot Camp</u> <ul style="list-style-type: none"> FirstLight will create a formal access trail for a put-in to the Millers River at Cabot Camp, add a picnic table and improve signage. 	Proposed	Northfield	License

Recreation Facility or Feature	Existing or Proposed	Part of NFM or TF License	License or Off License
<ul style="list-style-type: none"> FirstLight, in consultation with the Town of Montague, will attempt to find a qualified organization within the first 3 years of license issuance to take responsibility for preserving the Cabot Camp historic buildings. Absent finding a qualified organization and in consultation with the Town of Montague, FirstLight would: a) conduct a topographic and property survey, and condition assessment of the Cabot Camp parcel within 3 years of license issuances, b) plan and conduct market/re-development study of Cabot Camp in collaboration with the Town of Montague and c) if no acceptable means to otherwise preserve the historic structures of Cabot Camp is identified, re-use the property for other recreation or alternative uses consistent with the Historic Properties Management Plan (HPMP) and the Recreation Management Plan (RMP). 	Proposed		License
<u>Unity Park</u> <ul style="list-style-type: none"> FirstLight will add a new car-top access and put-in at the northern end of Unity Park, and work with the Town of Montague to provide a means of storing and locking vessels and reconfiguring the Unity Park parking lot to improve vehicle and pedestrian safety. 	Proposed	Northfield	License
<u>Gatehouse Fishway Viewing Area</u> <ul style="list-style-type: none"> Continue with providing approximately 27 parking spaces, picnic tables, bike rack, trail, fishway view visitor facility (with feed to above ground TV), ADA accessible restrooms and interpretive signage. 	Existing	Northfield	License
<u>River Access below Turners Falls Dam</u> FirstLight will complete the following river access points: <ul style="list-style-type: none"> Turners Falls bypass both upstream and downstream of Peskeomskut Island (located just below the Turners Falls Dam). At the Station No. 1 tailrace for fishing and non-motorized boats. Improvements at the Poplar Street put-in and take-out to include placement of stairs with boat slide leading to a landing/concrete abutment, a gangway and a floating dock. Improve signage at this location and improve digital information about the site and porta potty. Work with Montague to address parking and sanitary facilities. 	Proposed Existing	Turners Falls Turners Falls	License
<u>Safety Improvements</u> <ul style="list-style-type: none"> FirstLight will make safety improvements to abandoned water passages, under FirstLight's ownership, in the Turners Falls bypass (focused between the dam and upstream of Station No. 1 on river left). 	Proposed	Turners Falls	License
<u>Viewing Platform</u> <ul style="list-style-type: none"> FirstLight will construct a viewing platform and picnic area below the Turners Falls Dam with the best feasible view of the Great Falls and their surrounding natural environment. FirstLight to maintain the adjacent area near the bridge crossing. 	Proposed	Turners Falls	License
<u>Turners Falls Branch Canal</u> <ul style="list-style-type: none"> FirstLight will continue to provide the overlook and benches. 	Existing	Turners Falls	License
<u>Cabot Woods</u> <ul style="list-style-type: none"> FirstLight will continue to provide parking for approximately 17 cars, picnic tables, and offer fishing access at Cabot Woods. FirstLight will replace and maintain stairs at Cabot Woods. 	Existing Proposed	Turners Falls	License
<u>Portage</u> <ul style="list-style-type: none"> Continue with the current portage where boaters can call FirstLight for transport, and maintain signage explaining canoe portage operations, procedures and the call number. (May 1 – October 15) FirstLight will construct a portage trail around Rock Dam (on river left; on the Cabot Woods side of the river) subject to consultation with the National Marine Fisheries Service, Natural Heritage Endangered Species Program (NHESP), and recreation stakeholders. The Nolumbeka Project Inc., and the Elnu Abenaki Tribe. 	Existing Proposed	Turners Falls	License License
Town of Gill			
<u>Barton Cove Nature Area and Campground</u> <ul style="list-style-type: none"> Nature Area Parking for 26 vehicles, Campground Parking for 28 vehicles Restrooms (2 facilities, ADA compliant) Walking trail to an overlook Campground for trailer and tents sites, 28 campsites (1 ADA compliant), sites include picnic table, grills and fire ring, trash containers Nature trail, dock 	Existing	Northfield	License

Recreation Facility or Feature	Existing or Proposed	Part of NFM or TF License	License or Off License
<ul style="list-style-type: none"> FirstLight to provide paddle access camping at 2 new campsites in coordination with the Appalachian Mountain Club (AMC): one in the Barton Cove area in Gill and the other (if possible) at Mallory Brook in Northfield. 	Proposed	Northfield	License
<u>Barton Cove Canoe and Kayak Rental Area</u> <ul style="list-style-type: none"> Parking for 28 vehicles 6 picnic tables, seasonal restroom Offers paddlecraft rentals with PFDs, and picnicking Paddlecraft rental service On-call vehicular canoe and kayak transport service FL will add the ability to lock canoes and kayaks during the day at Barton Cove in the Town of Gill. FirstLight will donate used sporting equipment to local youth organizations 	Existing	Northfield	License
	Proposed	Northfield	License
Project-wide			
<u>Flow Notification</u> <ul style="list-style-type: none"> FirstLight will provide real-time Turners Falls Impoundment (TFI) water level information and real-time discharge information at Turners Falls Dam and Station No. 1 year-round on a website that will be accessible to the public. FirstLight will develop a flow monitoring plan with the agencies. FirstLight will provide digital flow notification of the Naturally Routed Flow (NRF) and the anticipated Turners Falls Dam spillage and anticipated Station No. 1 discharge for a 12-hour window into the future at any given time. This proposal is contingent upon advance notification procedures to be followed by Great River Hydro (GRH). Should FirstLight take deviations to passing the 12-hour previous NRF it will post the revised flows (in the 12-hour look ahead window) to the digital location as soon as practicable after they are known. Should GRH provide FirstLight with flow data more than 12 hours in advance, FL will publish the information sooner. 	Proposed	Northfield and Turners Falls	License
<u>ADA</u> <ul style="list-style-type: none"> For any new construction and rehabilitation of existing public recreation buildings and facilities, FirstLight will comply with 521 CMR to the extent applicable pursuant to 521 CMR and Title III of the Americans with Disabilities Act. As part of the Recreation Management Plan process and updates, FirstLight will conduct a programmatic assessment of the existing and proposed public recreation buildings and facilities for consistency with the requirements of the Americans with Disabilities Act (ADA), and will implement applicable ADA improvements. 	Proposed	Northfield and Turners Falls	License
<u>Recreation Advisory Group and Recreation Management Plan</u> <ul style="list-style-type: none"> FirstLight will have an annual Recreation Advisory Group meeting to discuss recreation use and O&M needs. Any signatory to the settlement agreement can be an invitee and participant in these meetings. 	Proposed	Northfield and Turners Falls	Off-License
<u>Recreation Management Plan</u> <ul style="list-style-type: none"> FirstLight will revise and submit a new Recreation Management Plan that will be part of the Settlement Agreement. FirstLight will consult with the Parties on the proposed recreation features. The Recreation Management Plan will be revisited once every 10 years to evaluate recreation use and demand. Those to be consulted on the RMP include the Parties as defined above. 	Proposed	Northfield and Turners Falls	License
<u>Advertising</u> <ul style="list-style-type: none"> FirstLight will commit to coordinating promotion of its Project facilities with local communities and organizations and improve its digital presence. FL will commit to working with the Recreation Advisory Group to identify the targeted audiences for this outreach, including EJ communities, Indigenous communities, those with disabilities, visitors to the region, residents, and local communities and organizations; and a schedule for pushing out facility promotional materials. 	Proposed	Northfield and Turners Falls	Off-License
<u>Conservation Easements</u> <ul style="list-style-type: none"> FirstLight will place lands it owns and are not used for specific project activities (e.g., power production, project recreation facilities, etc.) along the TFI shoreline in conservation easement to maintain riparian buffers and river right (looking downstream) downstream of the Turners Falls Dam. The easements will include those lands where agricultural farming occurs up to the river's edge; however, no conservation easements will be sought on existing developed lands along the TFI. 	Proposed	Northfield and Turners Falls	License

Recreation Facility or Feature	Existing or Proposed	Part of NFM or TF License	License or Off License
<ul style="list-style-type: none"> FirstLight will conserve the approximately 1.3-mile portion of the New England National Scenic Trail in the Project boundary on the eastern side of the Northfield Mountain Upper Reservoir in Erving, MA. 			



Northfield Mountain Pumped Storage Project No. 2485
 Turners Falls Hydroelectric Project No. 1889

Figure 1.0-1: Turners Falls Impoundment
 Proposed Recreation Facilities

Legend

- Proposed Recreation Facility
- Existing Project Recreation Facility
- Canoe Portage
- Northfield Mountain Trail System
- New England National Scenic Trail
- Northfield Mountain (NFM) Project Boundary
- Combined TF/NFM Project Boundary

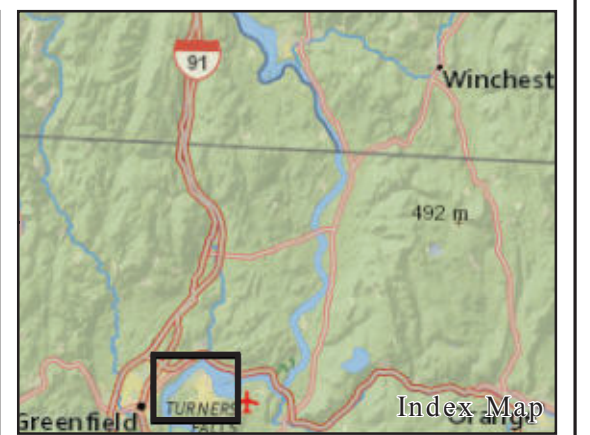
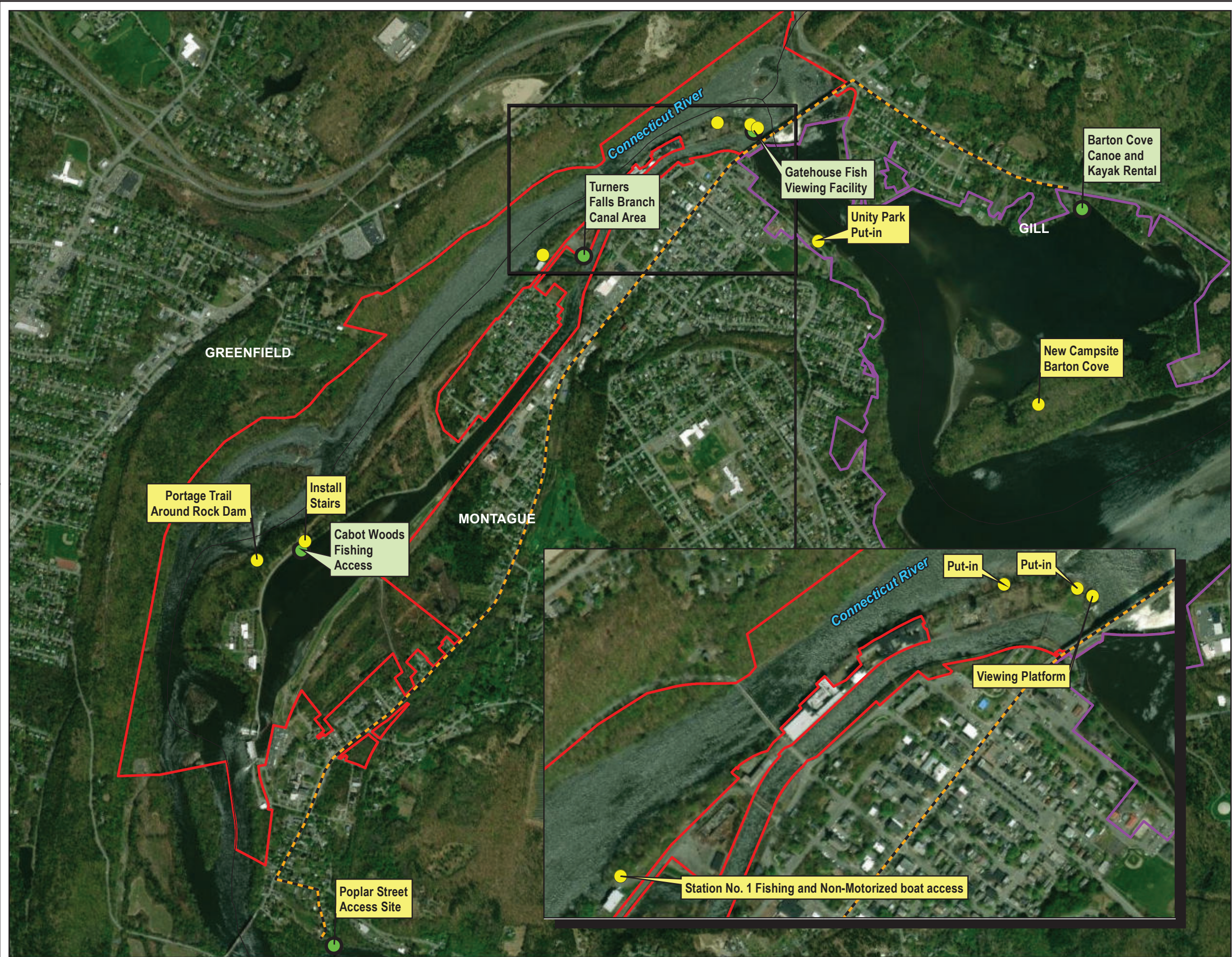


Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
 National Geographic, Esri, Garmin, HERE, UNEP-WCMC, USGS,



1 inch = 1 miles





Northfield Mountain Pumped Storage Project No. 2485
 Turners Falls Hydroelectric Project No. 1889

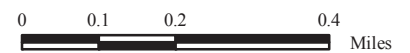
Figure 1.0-2: Turners Falls Area
 Proposed Recreation Facilities

Legend

- Proposed Recreation Facility
- Existing Project Recreation Facility
- Canoe Portage
- Turners Falls (TF) Project Boundary
- Combined TF/NFM Project Boundary



Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
 National Geographic, Esri, Garmin, HERE, UNEP-WCMC, USGS,



1 inch = 0 miles



PART III SIGNATURES

The signing of this AIP is a good faith indication by the Parties that they support this AIP and commit to developing a Final Settlement Agreement and other necessary documents for the comprehensive settlement of all issues related to the relicensing of the Turners Falls Project and Northfield Mountain Project.

Organization: FirstLight MA Hydro LLC and Northfield Mountain LLC (collectively, FirstLight)

By: _____

Title: _____

Signature: _____

Date: _____

Organization: Appalachian Mountain Club

By: _____

Title: _____

Signature: _____

Date: _____

Organization: American Whitewater

By: _____

Title: _____

Signature: _____

Date: _____

Organization: Access Fund

By: _____

Title: _____

Signature: _____

Date: _____

Organization: Connecticut River Conservancy

By: _____

Title: _____

Signature: _____

Date: _____

Organization: Crab Apple Whitewater, Inc

By: _____

Title: _____

Signature: _____

Date: _____

Organization: Franklin Regional Council of Governments

By: _____

Title: _____

Signature: _____

Date: _____

Organization: Massachusetts Department of Conservation and Recreation

By: _____

Title: _____

Signature: _____

Date: _____

Organization: National Park Service

By: _____

Title: _____

Signature: _____

Date: _____

Organization: New England Flow

By: _____

Title: _____

Signature: _____

Date: _____

Organization: New England Mountain Bike Association

By: _____

Title: _____

Signature: _____

Date: _____

Organization: Town of Erving, MA

By: _____

Title: _____

Signature: _____

Date: _____

Organization: Town of Gill ,MA

By: _____

Title: _____

Signature: _____

Date: _____

Organization: Town of Montague, MA

By: _____

Title: _____

Signature: _____

Date: _____

Organization: Town of Northfield, MA

By: _____

Title: _____

Signature: _____

Date: _____

Organization: Western Massachusetts Climbing Coalition

By: _____

Title: _____

Signature: _____

Date: _____

Organization: Zoar Outdoors

By: _____

Title: _____

Signature: _____

Date: _____

9

WendyB-Montague Selectboard

From: StevenE - Montague Town Administrator
Sent: Thursday, February 3, 2022 9:55 AM
To: jaudley@gmail.com; Greg Garrison; cboutwell@martignetti.com; Matt Lord; Rich Kuklewicz
Cc: WPCF Superintendent; TomB - Montague Highway Department; CarolynO-Montague Town Accountant
Subject: Wastewater collection system CSO and I&I Studies Article
Attachments: Collection System Engineering_Capital Request_02.02.22.docx; Revised_AMP Grant_TF-MF ProposalLtr_Feb 2 22.pdf

Hi Committee Leaders

As shared yesterday, we learned through our consultant that DEP will require a full match of the direct cost of the projects to be supported by the MA DEP Asset Management Grant that we've applied for. They've told us we will receive the grant, but expected January announcements have been delayed until late February/early March. Tom, Chelsey and I worked with Wright-Pierce to refine the scope, deciding to delay decision on the \$26k option for 30% design until we know more about the findings of the base study. I have attached a copy of that revised project proposal, which highlights the DPWs in-kind contributions, and revised STM request.

SB discussion of this project is planned for Feb 7th and should reflect on whether the board wishes to use ARPA funds to fund the project. Carolyn, Chelsey and I have reviewed past approaches to funding projects with substantive I&I components and the historical average is a 60/40 split between the WPCF and Town, respectively; though past CSO remediation bonding was 50/50. Chelsey consulted with Bob Trombley and the 60/40 split was determined based on calculations of the % of system flow attributable to I&I. However, I would note that CSO events – when massive amounts of stormwater overwhelm the combined portions of the system – result in massive stormwater inflow (increasing daily flow from 800,000 to 3M-4M), which might make the appropriate split for that type of remediation more like 80/20 Town/WPCF. This is something to consider relative to funding of this study (if not done through ARPA) as well as later CSO construction projects.

Notably, this study should provide us with much more precise data relative to I&I as a % of system load.

Steve

Steven Ellis
Montague Town Administrator
One Avenue A
Turners Falls, MA 01376
413-863-3200 x110
www.montague-ma.gov

Pronouns: Him/His (or just call me Steve)

WendyB-Montague Selectboard

From: StevenE - Montague Town Administrator
Sent: Tuesday, February 1, 2022 2:13 PM
To: WendyB-Montague Selectboard
Cc: TomB - Montague Highway Department; WPCF Superintendent; cboutwell@martignetti.com; Matt Lord; Rich Kuklewicz
Subject: ARPA Expenditures - Asset Management Grant Program

Hi

Please add the following to our agenda Monday...

- Collection System Asset Management Grant Funding (ARPA vs STM Appropriation)
- ARPA updates and public input planning

Chelsey, Tom and I met today with the proposed engineering firm, Wright-Pierce, and they confirmed the very high likelihood that Montague will receive an Asset Management Grant from MassDEP, with an announcement likely in late February. You will recall that this grant program provides a 60% match on a project cost up to \$250,000. Our project was defined as a \$250,000 project inclusive of direct cost of the engineering consultant (in excess of \$200,000) and Town staff time and equipment costs that would qualify as in-kind match.

Our clear operating assumption has been that we would receive the grant and need to show an appropriation sufficient to cover the direct cost portion (the engineering consultant) of our matching responsibility, which is expected to be \$52,000. Through discussion with Wright-Pierce today, we learned that this grant program requires the Town to first appropriate the full direct cost of the project (\$202,000), but does not require us to appropriate for the expected in-kind match. This apparently is not uncommon with this funding source, but this is our first engagement with this program and were unaware. The upshot is that this project will require a much larger appropriation than is actually needed (assuming the grant is awarded) and that the grant-funded balance of that appropriation could later be rescinded. I will update the warrant and request summary to reflect this reality.

This brings us now to the question of whether the Board wishes to use ARPA funds to support this project (essentially placing a hold on this sum in that account line) to advance it to Town Meeting in March. Use of ARPA would bypass the somewhat thorny question of how much of this project should be paid for by the Town's General Fund and by the WPCF Enterprise Fund. The historical precedents are not wholly clear. This project is focused on CSO and I&I problems, and our past CSO bonding shows a 50/50 split. I&I seems to have been less consistent, but Carolyn is researching to try to determine a clear historical pattern. We are not aware of a clearly defined rationale for such a split and there is not policy related to issue.

We have to make final decisions within only a few short days, as the warrant is finalized on Feb 14 and FinCom will likely consider and vote on sources for this project next Wednesday the 9th. I am not requesting any response or dialog to this email, just trying to apprise you all of the situation so you have some extra time to chew on it.

Steve

Steven Ellis
Montague Town Administrator
One Avenue A
Turners Falls, MA 01376
413-863-3200 x110



Town of Montague

SPECIAL ARTICLE REQUEST – CAPITAL EXPENSE

This form is intended for use with capital article submissions \geq \$25,000 with a lifespan of 5+ years. For major building projects, please consult the Town Administrator.

FY 22

Check here if this request is for FY22 Winter Special Town Meeting

Department: DPW/WPCF Submitted by: Tom Bergeron/Chelsey Little

Item/Project Cost: \$250,000 project (\$202,000 request) Date Revised: February 2, 2022

Item/Project Title: Wastewater Collection System Engineering Study Grant Match

Proposed Article Wording:

Wastewater Collection System Engineering Study Grant Match
MOVED. That the Town vote to appropriate the sum of \$202,000 for the purpose of funding a comprehensive engineering assessment of the sources of Inflow & Infiltration (I&I) in the Millers Falls Collection System and the most efficient means to reducing Combined Sewer Overflow (CSO) events in the Turners Falls Collection System, including any and all incidental and related costs, said sum to be raised from XXXXX.

Detailed Description for Background Materials: *(Provide a full description of the item or service. Use attachments as needed.)*

The Town has strong indications that it will receive a MA Department of Environmental Protection Asset Management Grant this winter for a two-pronged sewer collection system improvement project/study with a total cost of \$250,000. The grant will cover 60% (\$150,000) of the cost, with the Town responsible for a \$100,000 share, which can be accomplished through a mix of cash (this proposed appropriation) and in-kind contributions. The \$150,000 grant is the maximum grant award amount.

The direct cost of engineering services to be performed on this project are \$202,000. The remaining portion of the Town's commitment will be in the form of in-kind services from the DPW, and the WPCF Superintendent and Town Administrator. **The grant rules require that the Town appropriate the funds that are proposed to be spent on direct services (\$202,000) prior to award of the grant. The grant can then be used as an offset, reducing the need to spend that appropriation, leaving the Town with a net cost of \$52,000.**

The studies will provide recommended solutions for *pressing* issues in each system. For the Turners Falls collection system, where CSOs and I&I are of concern, it will develop two alternative approaches to reducing CSO events and the related issue of I&I. For the Millers Falls collection system, it will present detailed data relative to system failure points, with preliminary findings that may allow for immediate improvements to correct acute problems identified through the study, as well as a broader, system-level improvement plan. All plans will be developed to a 10% design level and will provide an expected cost.

Once studies are complete, notwithstanding possible immediate opportunities to correct acute and isolated problems, the Town will still need to commission full design plans for construction related to CSO remediation in Turners Falls and system level improvements in Millers Falls. DEP and EPA regulations require these issues to be addressed, with CSO's already the subject of an active consent order that requires immediate design planning as a step toward implementing improvements.

Commencement of the study is very timely as both projects rely on flow metering that should be performed in the spring months when the water table is high. The Town would not intend to proceed with the project until the grant is formally made, which is expected in late February or early November.

Enter response

Have you received an estimate as a basis for cost? (yes/no)

Yes, attached

- If yes, please attach estimate

Are grant or other funds available to offset cost? (yes/no)

Yes
DEP Grant / in-kind match allowance
\$150,000 / \$48k
95%

Please specify grant program/source of funds

Value of the offset

Probability of availability

Will this be a lease or a recurring expense? (yes/no)

no

If yes, over how many years:

If yes, will payment vary (yes/no; attach payment plan):

Will this item or project replace old equipment? (yes/no)

no

If replacement, estimate surplus value: \$

Is this expected to require other investments? (yes/no)

Full engineering design and oversight cost for two major projects

Construction cost for two major public works projects

Yes. Final design and construction
\$ TBD
\$ TBD

Why is it essential that the Town makes this purchase in the coming fiscal year?

These longstanding issues jeopardize requirements of Montague's EPA and DEP permits for operation of a wastewater collection and treatment system. Failure to attend to them in the near term may result in agency fines, as well as potential sewer flow overage charges from the Town of Erving, into which the Millers Falls collection system flows.

Relative Priority

Overall priority of this item or project to the Town

Critical

X

High

O

Moderate

O

Low

O

If you are submitting more than one project, how does this rate relative to the others

First

O

Second

O

Third

O

Fourth or Lower

O

Comments on relative priority:

This is the work we must to do in order to move forward toward compliance. The Town must have a functional and permit compliant wastewater collection system.

Final recommendation of Capital Improvements Committee:

O Support

O Not Support

Comments on Recommendation:

February 2, 2022
WP Project No. T16251/T16253

Mr. Steve Ellis, Town Administrator
Town of Montague
1 Avenue A
Turners Falls, MA 01376

SUBJECT: Engineering Services Proposal for Field Investigations and Hydraulic Modeling in Support of the Updated Combined Sewer Overflow (CSO) Long-Term Control Plan (LTCP) for the Turners Falls Sewer Collection System and Continued Infiltration and Inflow Investigation for the Millers Falls Sewer Collection System

Dear Mr. Ellis,

In July 2021, Wright-Pierce prepared and submitted two letter proposals to the Town of Montague for engineering assistance for the following:

1. Field Investigations and Hydraulic Modeling in Support of the Updated Combined Sewer Overflow (CSO) Long-Term Control Plan (LTCP) for the Turners Falls Sewer Collection System, and
2. Continued Infiltration and Inflow Investigation for the Millers Falls Sewer Collection System.

Since Wright-Pierce's submission of the two letter proposals to the Town in July 2021, Wright-Pierce prepared a Project Evaluation Form (PEF), on behalf of the Town, and submitted in August 2021 for the Massachusetts Department of Environmental Protection (MassDEP) Asset Management Grant. The tasks described in this letter proposal typically are eligible for funding up to \$150,000 or 60% of the project costs with additional cash contributions or in-kind services from the Town as these tasks address overall program goals. The program goals include improving maintenance practices in the combined system and identifying funding needs for managing assets related to CSO mitigation and sustainable infrastructure planning.

The Town is waiting to confirm if they are selected for the grant up to the \$150,000 maximum and has indicated they intend to match the cash contribution for this project with in-kind services should this project be selected. The in-kind services will be performed by the staff from the Town including tasks such as collection of data and CCTV inspections. A summary of the money available to cover the completion of tasks outlined in this letter proposal are as follows,

- \$ 150,000 – Grant Funding Request (Maximum)
- \$ 100,000 – In-Kind Service Match and/or Cash Contribution Match
- \$ 250,000 – Total Available

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On December 20th, 2021, Tom Bergeron and Wright-Pierce had a telephone conversation to define the in-kind services the Town will be providing for the field investigation work. The tasks in the scope of work below state the in-kind services that are to be provided by the Town, in *italic*.

As requested by the Town, Wright-Pierce has combined the two previous letter proposals into this combined letter proposal to include additional value with tasks for updating the CSO LTCP document and an optional scope item for brining improvements to a 30% design level. Our understanding of each of the two projects is summarized below followed by our proposed technical scope, proposed schedule and fee for each.

1.0 Turners Falls Sewer Collection System

1.1 Background

The Town of Montague was issued an Administrative Order (CWA-AO-R01-FY20-31) from the U.S. Environmental Protection Agency (EPA) on June 11, 2020 addressing compliance with its National Pollutant Discharge Elimination System (NPDES) permit (No. MA0100137) to meet numeric effluent limitations and minimize Combined Sewer Overflows (CSOs) in the Turners Falls Wastewater Collection System. As requested, we have developed and submitted a draft update, for review by the Town, of the Town's updated Long-Term Control Plan (LTCP), under a separate task order.

1.2 Project Understanding

The Administrative Order specifically brought attention to violations of the NPDES Permit between 2018 and 2019 when untreated combined sewage was discharged from CSOs and required an update to the Town's CSO LTCP. Field investigations and hydraulic modeling work identified in this proposal will be used to support the implementation plan outlined in the revised CSO LTCP and used to expand the Town's asset inventory.

1.3 Proposed Scope of Work

Task 1 – Field Investigations, Analysis, and Deliverables

This task includes gathering data on existing conditions to confirm or address current I/I mitigation effectiveness or to identify new sources of I/I. Field investigative tasks will include:

- A. **Flow Monitoring** – installing, maintaining, and removing flow meters upstream of overflow locations to confirm or address I/I amounts and/or mitigation effectiveness. This assumes ten weeks of flow monitoring with two meters set to record data in 15-minute intervals. The Town will provide rain gauge data in 15-minute intervals. Meter maintenance to check equipment, remove light debris, and perform manual depth and velocity measurements will be done during site visits every two weeks. It is preferred to obtain 4-6 rain events totaling 0.5 inches each of total rain for the analysis. If collected rain events are not sufficient for the analysis, Wright-Pierce will notify the Town, and additional meter maintenance/data collection can be provided at an additional cost.

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Wright-Pierce anticipates using in-house inventory of area-velocity meters with redundant depth capabilities for this task, however, has the option to rent equipment, if necessary, at no additional cost. In-house equipment availability is dependent upon planned notice-to-proceed. Sites will be on telemetry with data hosting on Wright-Pierce's Telog Enterprise platform for weekly quality assurance and quality control (QA/QC) reviews.

- B. **Night Flow Isolations** – collecting instantaneous night flow measurements during dry weather conditions upstream of the Town's two CSO locations to identify areas with potential sources of infiltration. The night flow isolation results can be used to determine where the quantities and locations of manhole inspections and closed-circuit television (CCTV) pipe inspections are performed, if determined necessary. This assumes one night of flow isolations.

Wright-Pierce will provide needed equipment to perform these top-side measurements without requiring confined-space entry. Wright-Pierce will deploy a one-person crew for this work; *while the Town will provide a second crew person and a utility vehicle for traffic safety, as in-kind service contributions, during the work.*

- C. **Smoke Testing** – conduct smoke testing to identify potential direct sources of inflow into the collection system such as sump pump and roof leader connections, or storm drain cross connections. It is recommended that the smoke testing be conducted when the seasonal groundwater will be at its lowest. For this task, this assumes two days of smoke testing. Prior to performing smoke testing, Wright-Pierce will notify residents and emergency response personnel of the pending smoke testing activities. The notification includes doorknob hangers delivered by Wright-Pierce field personnel. If the Town elects to also include notifications in newspaper ads, or announcements on public access television or the Town website, Wright-Pierce will provide sample language to the Town for their use. *Town provides traffic control.*

Wright-Pierce will deploy a one-person crew to perform smoke testing using a gas-powered blower placed over centrally located manholes. Pressurized liquid smoke will then be released into the blower to fill the surrounding sewer system with non-toxic smoke vapor. Smoke testing activities and results, along with applicable photos, will be provided. *A second and third person will be provided from the Town as in-kind services to be included in the smoke testing crew.* Wright-Pierce typically deploys a three-person crew in the field for smoke testing.

- D. **Manhole Inspections** – performing National Association of Sewer Service Company (NASSCO) Manhole Assessment Certification Program (MACP) certified inspections (both Level 1 and Level 2) to identify sources of I/I through defects observed. This assumes three days of manhole inspections (approximately 50 manhole inspections) with data collection using tablets and analysis by Wright-Pierce using InfoAsset Planner. Wright-Pierce will deploy a one-person crew to perform the manhole inspections. *A second person will be provided from the Town as in-kind services to be included in the manhole inspection crew.* Wright-Pierce typically deploys a two-person crew in the field for manhole inspections. *Town provides traffic control.*

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The inspections will be performed using a "pole"-type camera; no confined space entry will be required. Data to be recorded includes manhole physical information, pipe sizes, direction of flow, and observations of defects or potential problems. A camera will be utilized to document the condition of appropriate parts of the manhole, including, but not limited to, the frame adjustment, corbel, walls, bench, and pipe seals. It is recommended that the manhole inspections be conducted when seasonal groundwater will be at its highest.

- E. **CCTV Inspections** – performing NASSCO Pipeline Assessment Certification Program (PACP) CCTV inspections to identify sources of I/I through defects observed for approximately 4,500 linear feet of pipe. The CCTV inspections will be conducted when the seasonal groundwater will be at its highest. *The cleaning and CCTV video recording will be provided by the Town as in-kind services.* The inspection and coding will be performed by a Wright-Pierce NASSCO PACP certified engineer with NASSCO approved software and analysis by Wright-Pierce using InfoAsset Planner.

Wright-Pierce will be onsite for up to two field days during the cleaning and CCTV video recording work. A digital video (DVD or external hard drive with access to the Wright-Pierce FTP Sharepoint Site to download footage) and summary inspection reports will be provided as part of this task.

- F. **Data Analysis, Report Development and 10% Design Documents** - Any data collected as part of Tasks A-E will be analyzed and documented in a technical memorandum and used to update existing Town systems with inventory-type data. The technical memorandum will include recommended next steps including future capital planning or construction projects with preliminary opinions of probable construction costs. GIS-based drawings representing locations of recommended improvements will be provided as part of the deliverable, representing a 10% design level, along with a draft list of anticipated technical specifications. Wright-Pierce may attend up to two workshops / meetings to review the draft deliverables and to present findings / recommendations.

Task 2 – Stormwater and Sewer Mapping

Perform an inventory of sewer system assets within the extents of the hydraulic model and update GIS to reflect the field obtained data of the sewer system. Document asset information for sewer mainlines, sewer manholes, and other diversion/overflow structures to develop a base map for portions of the sewer system and to support the development of the hydraulic model. The information to be collected and documented includes manhole rim elevations (discussed further below); invert elevations or depths, pipe size, and pipe material to update the current GIS database. This task assumes 4 days of manhole and other structure data collection, to obtain measure downs and dimensioning of approximately 80 structures. *A second person will be provided from the Town as in-kind services to be included in the mapping/data collection crew.* Wright-Pierce typically deploys a two-person crew in the field for data collection of this nature.

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This task also includes obtaining manhole rim elevations within the hydraulic model extents in addition to those previously obtained by RCAP Solutions. These rim elevations are assumed to be obtained using a survey grade GPS unit and be within 0.2' vertical accuracy. This assumes 5 days of field work by one Wright-Pierce staff member obtaining these rim elevations. *Town provides traffic control.*

Task 3 – Hydraulic Model Development

This task includes utilizing the information gathered during fieldwork described in Task 1 (Flow Monitoring) and Task 2 (rim elevations, invert elevations, pipe size, and pipe material) above to build the Town's hydraulic model network in InfoSWMM (software owned by Wright-Pierce). The proposed extents of the model include the collection system from the WWTF upstream through the two CSOs, extending to just upstream of the 7th and L Street overflow, and includes approximately 80 sanitary manholes and approximately 12,000 LF of sewer. The model will be used to evaluate CSO reduction solutions and update system characteristics as part of overall asset management. Work will also help identify critical pipes that may be nearing or exceeding capacity.

Work performed as part of this task will be summarized in a technical memorandum along with Task 1. Work includes:

- Development of the physical model upstream of the two CSOs.
- Calibrating the model with flow monitoring data from five flow meters. This includes two meters from Task 1 (Flow Monitoring) and three Town owned flow meters to minimize additional costs to the Town. The three Town owned flow meters that will be utilized include the following:
 - a. An existing area-velocity flow meter on the 36" interceptor upstream of the WPCF on Greenfield Road.
 - b. An existing area-velocity flow meter on the 14" interceptor at 7th & L Streets.
 - c. An existing meter in the Avenue A regulator. It is important to note that, according to older ADS reports, there seems to have been an area-velocity meter installed (or possibly still installed based on photos from our recent site visit) on the 21" interceptor at Avenue A with a float that determined flows over the weir wall. The area-velocity sensor would need to be reactivated to use this data. This scope of work assumes that this area-velocity meter will be reactivated/reinstalled for the duration of the Wright-Pierce metering effort.
- Determining existing capacity of the pipe network upstream of the CSOs for up to two design storms.
- Evaluating up to two alternatives for CSO mitigation or closure based on model outputs.

Task 4 – Reporting, LTCP Updates

- A. **Reporting and LTCP Updates** - Wright-Pierce will utilize the technical memorandums that result from Tasks 1-3 to update the LTCP submitted in draft form in December 2021 and prepare the required, "full" LTCP Update that is due June 2023. Wright-Pierce will provide additional support to assist the Town with providing the required June and December 2022 progress updates based on project progress. We have included 48 hours to assist in these efforts.

2.0 Millers Falls Sewer Collection System

2.1 Background

The Village of Millers Falls, located in the Town of Montague, is served by approximately 15,000 linear feet of gravity sewer, including approximately 88 manhole structures, that conveys wastewater to the Town of Erving for treatment and disposal. The Town of Montague pays the Town of Erving for all wastewater discharged on a per-gallon basis, based on a flow meter located upstream of the pump station that receives the Millers Falls flow. For example, in 2017 and 2018, Montague discharged 29.1 million gallons and 35.4 million gallons to Erving, respectively. However, over that same period, water usage in the village was only 12 million to 12.8 million gallons per year, indicating that there is a significant amount of clean water in the Millers Falls collection system due to infiltration and/or inflow (I/I). These high flows can also overload the downstream collection system and pump station capacity.

To reduce the cost associated with conveying the I/I, and increase capacity in downstream facilities, the Town of Montague wishes to investigate to determine the sources of this flow and determine necessary rehabilitation to reduce these flows. Wright-Pierce has prepared this proposal to present our understanding of the current situation and alternative methods to identify the sources of I/I entering the Millers Falls Collection System.

In February 2019 Wright-Pierce presented to the Town a proposal to conduct comprehensive field investigations to identify I/I including smoke testing to be performed in the dryer months with low groundwater; continuous flow monitoring, night flow isolation, and closed-circuit television (CCTV) to be performed in the wetter months when the groundwater is the highest. In June 2019 the Town selected to proceed immediately with only the CCTV work in pipe segments (approximately 10,000 linear feet), chosen by the Town based on observing higher flows in those manholes, which was completed in July 2019. The month of July is not the optimal time of year to perform CCTV work with the groundwater being at its lowest. Therefore, we recommend that strategically selected CCTV fieldwork is performed again when groundwater is at its highest.

2.2 Project Understanding

The July 2019 CCTV investigation work did identify some sources of I/I in which the Town implemented a rehabilitation project to repair these sources of I/I in December 2019. It is our understanding the sources of I/I identified in July 2019 and repaired in December 2019 did not significantly lower the flow of wastewater being conveyed to the Town of Erving. The typical approach to identifying sources of I/I is to install continuous flow meters in sub-drainage basins within the collection system to determine which sub-basins are contributing the highest quantities of I/I.

If some sub-basins can be eliminated as sources of I/I, future field investigations and the associated costs can be reduced. Following the continuous flow metering, additional field investigations, such as nighttime flow isolations, manhole inspections, and smoke testing are used to further reduce the areas that will be investigated using CCTV inspection. We have outlined in our proposed scope of work tasks to be completed for further field

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investigations with the time of year the task is to be implemented to identify I/I based on the seasonal groundwater levels.

2.3 Proposed Scope of Work

Task 1 – Field Investigations, Analysis, and Deliverables

This task includes gathering data on existing conditions to confirm or address current I/I mitigation effectiveness or to identify new sources of I/I. Field investigative tasks will include:

- A. **Flow Monitoring** – Wright-Pierce reviewed the available collection system mapping and identified five sub-basin areas where flow meters could be installed. To reduce costs, it was assumed that three flow meters would be installed to record data at 15-minute intervals and the Town would provide rain gauge data at 15-minute intervals from a Town-owned rain gauge for a period of eight weeks. At the end of eight weeks, depending on the flow data provided, the flow meters could be relocated to other portions of the collection system. Meter maintenance to check equipment, remove light debris, and perform a manual depth and velocity measurements will be done during site visits every two weeks.

It is recommended that the eight-week flow monitoring be conducted when the seasonal groundwater will be at its highest which historically is Spring. It is preferred to obtain 4-6 rain events totaling 0.5 inches each of total rain to perform the analysis. If collected rain events are not sufficient for the analysis, Wright-Pierce will notify the Town, and additional meter maintenance/data collection can be provided at an additional cost.

Wright-Pierce anticipates using in-house inventory of area-velocity meters with redundant depth capabilities for this task, however, has the option to rent equipment, if necessary, at no additional cost. In-house equipment availability is dependent upon planned notice-to-proceed. Sites will be on telemetry with data hosting on Wright-Pierce's Telog Enterprise platform for weekly quality assurance and quality control (QA/QC) reviews.

- B. **Night Flow Isolations** – Wright-Pierce will conduct night flow isolation testing to identify areas of the collection system with excessive infiltration and to prioritize CCTV inspection locations. Flow isolations can also be used to supplement the flow monitoring program where meters may not pick up portions of the sewer system. Night flow isolation testing consists of conducting an instantaneous depth measurement and velocity measurement in individual manholes. Working upstream, specific segments of the collection system with high rates of infiltration can be isolated for subsequent CCTV inspection. It is recommended the nighttime flow isolation be conducted when the seasonal groundwater will be at its highest. This assumes one night of flow isolations.

Wright-Pierce will provide needed equipment to perform these top-side measurements without requiring confined-space entry. Wright-Pierce will deploy a one-person crew for this work; *while the Town will provide a second crew person and a utility vehicle for traffic safety, as in-kind service contributions, during the work.*

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- C. **Smoke Testing** – conduct smoke testing to identify potential direct sources of inflow into the collection system such as sump pump and roof leader connections, or storm drain cross connections. It is recommended that the smoke testing be conducted when the seasonal groundwater will be at its lowest. For this task, this assumes three days of smoke testing with notices. Prior to performing smoke testing, Wright-Pierce will notify residents and emergency response personnel of the pending smoke testing activities. The notification includes doorknob hangers delivered by Wright-Pierce field personnel. If the Town elects to also include notifications in newspaper ads, or announcements on public access television or the Town website, Wright-Pierce will provide sample language to the Town for their use.

Wright-Pierce will deploy a one-person crew to perform smoke testing using a gas-powered blower placed over centrally located manholes. Pressurized liquid smoke will then be released into the blower to fill the surrounding sewer system with non-toxic smoke vapor. Smoke testing activities and results, along with applicable photos, will be provided. *A second and third person will be provided from the Town as in-kind services to be included in the smoke testing crew.* Wright-Pierce typically deploys a three-person crew in the field for smoke testing. *Town provides traffic control.*

- D. **Manhole Inspections** – performing National Association of Sewer Service Company (NASSCO) Manhole Assessment Certification Program (MACP) certified inspections (Level 2) to document condition and identify sources of I/I through defects observed. This assumes six days of manhole inspections (approximately 88 manhole inspections) with data collection using tablets and analysis by Wright-Pierce using InfoAsset Planner. Wright-Pierce will deploy a one-person crew to perform the manhole inspections. *A second person will be provided from the Town as in-kind services to be included in the manhole inspection crew.* Wright-Pierce typically deploys a two-person crew in the field for manhole inspections. Work does not require confined-space entry. *Town provides traffic control.*

The Level 2 inspections will be performed using a "pole"-type camera; no confined space entry will be required. Data to be recorded includes manhole physical information, pipe sizes, direction of flow, and observations of defects or potential problems. A camera will be utilized to document the condition of appropriate parts of the manhole, including, but not limited to, the frame adjustment, corbel, walls, bench, and pipe seals. It is recommended that the manhole inspections be conducted when seasonal groundwater will be at its highest.

- E. **CCTV Inspections** – Based on the results of the flow monitoring program, night flow isolation and smoke testing, Wright-Pierce will identify portions of the collection system to be inspected by CCTV to identify sources of I/I through defects observed. Based on our experience, we have assumed that approximately 60% of the collection system, or 9,000 linear feet would require CCTV inspection.

The cleaning and CCTV video recording will be provided by the Town as in-kind services. The inspection and coding will be performed by a Wright-Pierce NASSCO PACP certified engineer with NASSCO approved software and analysis by Wright-Pierce using InfoAsset Planner. Wright-Pierce will be onsite for up to two field days during the cleaning and CCTV video recording work. A digital video (DVD or external hard drive

with access to the Wright-Pierce FTP Sharepoint Site to download footage) and summary inspection reports will be provided as part of this task.

- F. **Data Analysis, Report Development and 10% Design Documents** - Any data collected as part of Tasks A-E will be analyzed and documented in a technical memorandum and used to update existing Town systems with inventory-type data. The technical memorandum will include recommended next steps including future capital planning or construction projects with opinion of probable construction costs. GIS-based drawings representing locations of recommended improvements will be provided as part of the deliverable, representing a 10% design level, along with a draft list of anticipated technical specifications. Wright-Pierce may attend up to two workshops / meetings to review the draft deliverables and to present findings / recommendations.

3.0 Proposed Schedule

Wright-Pierce proposes the following two schedules for work associated with the Turners Falls and Millers Falls Sewer Collection Systems:

Tasks	Anticipated Date
1.0 Turner Falls Sewer Collection System	
Task 1 – Field Investigations, Analysis, and Deliverables	April 2022 - October 2022
A – Flow Monitoring	April 2022 - June 2022
B – Night Flow Isolation	May 2022 - June 2022
C – Smoke Testing	July 2022
D – Manhole Inspections	September 2022 - October 2022
E – CCTV Inspections	April or October 2022
F – Analysis, Reporting, and 10% Design	November 2022
Task 2 – Stormwater and Sewer Mapping	April 2022 – May 2022
Task 3 – Hydraulic Model Development	May 2022 – October 2022
Task 4 – Reporting, LTCP Updates	December 2022 – June 2023
A – Reporting and LTCP Updates	June 2022 – June 2023
2.0 Millers Falls Sewer Collection System	
Task 1 – Field Investigations, Analysis, and Deliverables	April 2022 – November 2022
A – Flow Monitoring	April 2022 - June 2022
B – Night Flow Isolation	May 2022 - June 2022
C – Smoke Testing	July 2022 - August 2022

D – Manhole Inspections	October 2022
E – CCTV Inspection	April or October/November 2022
F – Analysis, Report Development, 10% Design	December 2022 - February 2023

4.0 Proposed Fee

Wright-Pierce proposes a lump see fee basis for performing Tasks 1-3 of the Turners Falls scope of work and Task 1 for the Millers Falls scope of work; while Task 4 for Turners Falls will be performed on a time and materials basis as shown below:

Description	Fee
1.0 Turners Falls Sewer Collection System	
Task 1 – Field Investigations, Analysis, Deliverables	\$63,000
Task 2 – Stormwater and Sewer Mapping	\$20,000
Task 3 – Hydraulic Model Development	\$37,000
Task 4 – Reporting, LTCP Updates (48 hours included) ¹	\$7,000
Subtotal:	\$127,000
2.0 Millers Falls Sewer Collection System	
Task 1 – Field Investigations, Analysis, Deliverables	\$75,000
Subtotal:	\$75,000
Total:	\$202,000

¹Task 4 would be billed on a time and materials basis because it is unknown at this time how many hours would be needed to update the CSO LTCP document provided to the EPA in December 2021. If the EPA has feedback on an initial drafted document, the deliverable may need to be updated multiple times. There may also be several phone calls or virtual meetings required to correspond with the EPA on the final deliverable due on June 30th, 2023. If less than 48 hours is needed to accommodate the EPA's CSO LTCP Update by June 30th, 2023, the billed amount would be less than \$7,000. If more than 48 hours is needed to accommodate the EPA's CSO LTCP Update, Wright-Pierce would ask the Town if additional hours were authorized before proceeding.

Assumptions and items not included

1. The Town will provide \$48,000 of in-kind services for tasks outlined in the scope above and as needed for related project support to meet grant requirements. This should include performing a rate analysis by the Town. Wright-Pierce will provide the Town the required form for tracking in-kind services.

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2. Wright-Pierce assumes that the Town (with support from Wright-Pierce) can obtain approval from MassDEP in time to begin the flow monitoring programs as scheduled and ahead of the final Intended Use Plan (IUP), if necessary. These discussions have already begun with MassDEP.
3. Wright-Pierce will prepare the grant application/agreement required by MassDEP if work is approved on the final IUP.
4. The flow metering that is proposed is suitable for EPA but MassDEP may require additional flow metering in the Town in other villages outside of Turner's Falls and Millers Falls. This is due to the fact that the Town of Montague does not currently have an I/I Control Plan.
5. If traffic control is needed, the Town will provide using DPW crews and will be in accordance with MUTCD.
6. If police details and cruisers are needed, the Town will pay for these services directly.
7. The following tasks are not included: permitting, wetland delineation, topographic survey, and soil borings.
8. There are no requirements for meeting M/WBE goals for engineering services.
9. Hydraulic modeling work assumes that RCAP Solutions completes the development of the sewer and stormwater GIS database updates in Winter/early Spring 2022.

5.0 Additional Services

After the 10% design is completed for both Turners Falls and Millers Falls, Wright-Pierce can provide additional services to complete preliminary (30%) and final design efforts (bidding documents). A scope and fee can be developed for preliminary and final design efforts after the 10% design is completed. It is recommended to complete a 30% design prior to June 2023 so that planned improvements and 30% design costs can be included in the CSO LTCP Update due to the EPA by June 30th, 2023. Additional services can be provided to complete preliminary and final design efforts associated with the buffer line storage, such as gate and SCADA system modifications, and any other recommendations that are made at the 10% design post hydraulic modeling and field investigation efforts.

Should significant system deficiencies, associated with major Inflow / Infiltration (I/I) sources, be identified during the fieldwork listed under Tasks 1.3.1 or 2.3.1, Wright-Pierce and the Town will discuss options for immediate corrective actions. In addition, Wright-Pierce can also support the Town with a find-it, fix-it program approach that includes using InfoAsset, a Wright-Pierce in-house tool, to provide trenchless pipe and manhole rehabilitation recommendations, placed on GIS-based drawings with technical specifications, on a reduced timeline as compared to a typical preliminary/final design process. Wright-Pierce would also support the Town with the procurement of an On-Call Contractor to establish standardized pricing and to perform the recommended rehabilitation (i.e. grout injection of a 4 foot diameter manhole or cured-in-place pipe lining of an 8" pipe). This approach would allow work to be placed on an ongoing "on-call" list for the Town to rehabilitate as funds are made available each year. This may be a more cost effective and manageable approach to the Town of Montague.

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6.0 On-Call Agreement and Task Order Execution

Upon review and approval of this proposal by the Town, Wright-Pierce will prepare a task order under our existing on-call engineering agreement. We appreciate the opportunity to work with the Town on this follow-up work critical to the LTCP update and asset management in Turners Falls and the on this follow-up work in Millers Falls. Should you have any questions or require additional information, please call.

Sincerely,

WRIGHT-PIERCE



Laurie L. Perkins, PE
Associate Vice President
Infrastructure Assessment Group
laurie.perkins@wright-pierce.com



Lisa M. Muscanell-DePaola, PE
Project Manager
Wastewater Group
lisa.muscanell@wright-pierce.com

CC: Tom Bergeron, DPW Superintendent
Chelsey Little, WPCF Superintendent

Motion:

I move that the Board vote to approve the Moderator's request to conduct the March 3, 2022 Special Town Meeting by remote video platform rather than in-person and that Town staff work with the Moderator, Town Clerk and Town Counsel to take all steps necessary to facilitate the remote meeting and to provide notice thereof.

January 27, 2022

Hon. Richard Kuklewicz and
Members of the Select Board
Montague Town Hall
One Avenue A
Turners Falls, MA 01376

Re: March 3, 2022 Special Town Meeting – Request for Remote Participation

Dear Members of the Selectboard:


Having determined that it is not possible to safely assemble the Town Meeting Members and interested members of the public in a common location for the conduct of the Special Town Meeting scheduled for March 3, 2022, to the extent permitted by law, I request that the Select Board call said Special Town Meeting to be held via remote participation, including, but not limited to, by means of a video or telephone conferencing platform. I have conferred with Steve Ellis, local ADA Coordinator, to confirm federal Americans with Disabilities Act compliance for such remote participation Meeting.

The Meetings will be conducted using the Zoom webinar platform. I certify that: (A) I have tested the video or telephone conferencing platform; and (B) the platform satisfactorily enables the Town Meeting to be conducted in substantially the same manner as if the Meeting occurred in person at a physical location and in accordance with the following operational and functional requirements:

- (i) the moderator, town meeting members, town officials and any other interested members of the public to identify and hear the moderator and each town meeting member who attends and participates in the remotely-held town meeting, as well as any other individuals who participate in the remotely-held town meeting;
- (ii) the ability to determine whether a quorum is present;
- (iii) a town meeting member, town official or other individual to request recognition by the moderator without prior authorization; provided, however, that to the extent technologically feasible, the request is visible or audible to the public in real time and upon review of the recording of the town meeting proceedings, preserved according to subsection (h);
- (iv) the moderator to determine when a town meeting member wishes to be recognized to speak, make a motion, raise a point of order or object to a request for unanimous consent;
- (v) the moderator to recognize a town meeting member, town official or other individual to speak and to enable that person to speak;
- (vi) the ability to conduct a roll call vote;
- (vii) any interested members of the public to access the meeting remotely for purposes of witnessing the deliberations and actions taken at the town meeting; and
- (viii) the town meeting to be recorded.

I look forward to your favorable response to this request in the interest of protecting public health and safety.

Sincerely,


Christopher Collins
Town Moderator

10c

**SPECIAL TOWN MEETING
TOWN OF MONTAGUE
COMMONWEALTH OF MASSACHUSETTS
March 3, 2022**

Franklin, ss.

- DRAFT -

To either of the Constables of the Town of Montague in the County of Franklin:

GREETINGS:

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 remotely, via Zoom Webinar beginning at 6:30 P.M. on March 3, 2022, and to act on the following articles and any motions which may be presented.

Town Meeting members who have email addresses on file with the Town Clerk will be sent instructions via email as to how to log-in, view and participate in the meeting. Those Town Meeting members for whom we do not have a current email address, or any member who does not receive an email from the Town by the close of business on Wednesday, February 16, 2022, should contact the Town Clerk's Office at townclerk@montague-ma.gov or (413) 863-3200 ext. 203 to access support that would enable you to log-in, view and participate in the meeting.

Registered Town of Montague voters, who are not Town Meeting Members, wishing to view and participate in this remote Town Meeting must submit a request to participate in the Meeting to the Town Clerk, at townclerk@montague-ma.gov or (413) 863-3200 ext. 203, by no later than 6:30 pm on Tuesday, February 23, 2021. Upon receipt of the request and verification of the requester's voter registration status, the Town Clerk shall provide to the requester instructions for participating in the remote Town Meeting.

For individuals wishing to view the Town Meeting, it will be broadcast on Montague Community Television, Comcast Channel 17.

Town Meeting members are encouraged to begin the process of joining the meeting at 6:00 pm on March 3, 2022 so as to avoid any delays in the commencement of the meeting.

The first order of business at the Town Meeting shall be for the Town Meeting members present and voting to vote on whether to commence business at the Town Meeting remotely by means of the Zoom webinar. (NOTE: this was not included in the proposed special act submitted to the Governor. Review based on pending legislation)

If the Town Meeting members vote to continue conducting the Town Meeting remotely, the members shall proceed by remote participation to address the remaining articles included in the warrant therefor.

If the Town Meeting members do not vote to continue conducting the Town Meeting remotely, the Town Meeting shall immediately be dissolved without taking any votes on any other matters and the Select Board may call the Town Meeting for a future date pursuant to a new warrant that provides for the Town Meeting to be held in person at a physical location in accordance with all applicable laws and provisions of the Montague Town Meeting Act.

Special Town Meeting Warrant: March 3, 2022

WARRANT ARTICLES

ARTICLE 1: To see if Town will vote to conduct this Special Town Meeting remotely with the aid of Zoom Webinar.

(Moderator Request)

ARTICLE 2: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$10,000, or any other amount, for the purpose of making emergency repairs to town cemeteries, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(Cemetery Commission 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 \$10,000, or any other amount, for the purpose of repairing a retaining wall and for other maintenance, renovations, and improvements at the Burnham Cemetery, including but not limited to grading and clearing of trees, to prevent future problems, or pass any vote or votes in relation thereto.

(Cemetery 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 \$20,377, or any other amount, for the purpose of increasing the Fiscal Year 2022 Airport Budget, or pass any vote or votes in relation thereto.

(Airport Commission Request)

ARTICLE 5: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$2,500, or any other amount, for the purpose of purchasing and equipping a riding mower for the Parks and Recreation Department, or pass any vote or votes in relation thereto.

(Parks & Recreation 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 \$4,500, or any other amount, for the purpose of purchasing and installing additional security cameras and updating the surveillance system at Unity Park, 56 1st Street, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

(Parks & Recreation Request)

ARTICLE 7: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$10,616, or any other amount, for the purpose of increasing the Fiscal Year 2022 Libraries budget, or pass any vote or votes in relation thereto.

(Library Request)

ARTICLE 8: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$5,270, or any other amount, for the purpose of obtaining an engineered plan for the Carnegie Library's driveway project, including any and all incidental and related costs, or pass any vote or votes in relation thereto.
(Library 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 \$25,100, or any other amount, for the purpose of upgrading the Board of Assessors' software and purchasing related computer equipment, including any and all incidental and related costs, or pass any vote or votes in relation thereto.
(Board of Assessors 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 \$15,463, or any other amount, for the purpose of providing tuition for a Montague resident attending Smith Vocational School, or pass any vote or votes in relation thereto.
(Town Accountant 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 \$315,000, or any other amount, for the purpose of abating, replacing, and/or covering existing tile flooring in the Hillcrest Elementary School, including any and all incidental and related costs, or pass any vote or votes in relation thereto.
(Gill Montague Regional School District Request)

ARTICLE 12. To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$202,000, or any other amount, for the purpose of providing a grant match for an engineering assessment of the sources of Inflow & Infiltration in the Millers Falls Collection System and Combined Sewer Overflow (CSO) prevention in the Turners Falls Collection System, including any and all incidental and related costs, or pass any vote or votes in relation thereto.
(Town Administrator Request)

ARTICLE 13: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$66,481, or any other amount, for the purpose of making improvements to reduce flooding and related issues on and along Montague City Road, including any and all incidental and related costs, or pass any vote or votes in relation thereto.
(Town Administrator Request)

ARTICLE 14: To see if the Town will vote to amend Montague Zoning Bylaws sections 2, 5.2.8, 5.2.9, 8.9 and 9.1.2 to adopt a Zoning Bylaw Amendment relating to the regulation of Battery Energy Storage Facilities as shown in the draft dated 1.6.2022.

**Proposed Zoning Bylaw Amendment relating to the regulation of
Battery Energy Storage Facilities**

**PLANNING BOARD APPROVED DRAFT
for Town Meeting Approval**

Special Town Meeting Warrant: March 3, 2022

1.6.2022

Proposed new text shown in yellow highlight. Proposed text deletion shown as ~~strikethrough~~

Remove and replace the definition of Public Utility in Section 2 with the following text:

Section 2 Definitions

PUBLIC UTILITY: shall include power lines, power transmission, power generation facilities, and telecommunication facilities (See Section §8.6) but shall exclude solar energy installations, solar energy facilities, small scale battery energy storage systems, and battery energy storage facilities (See §8.9). A public utility may be privately owned but is otherwise regulated by the Mass Department of Public Utilities, the Federal Communications Commission, the Federal Energy Regulatory Commission, or other governmental agencies.

Add "battery energy storage facilities" to the list of uses allowed by Special Permit in the Industrial District (Section 5.2.8 (b) ii.) and Historic Industrial District (Section 5.2.9(b)v) with the following text:

5.2.8 ID. Industrial District

(a) Permitted Uses:

- i. Business office or professional office
- ii. Manufacturing, processing, or research
- iii. Bulk storage, warehousing, distribution
- iv. Agriculture or forestry products processing

(b) Uses allowed by Special Permit from the Planning Board

- i. All uses in §5.2.8(a) that involve the construction or alteration of over 20,000 square feet of floor area or the development of over 217,800 square feet (5 acres) of land.
- ii. Solar energy and battery energy storage facilities, per §8.9
- iii. Self-service storage facilities, per §8.7
- iv. Retail sales and services
- v. Hotels
- vi. Earth removal, per §8.2
- vii. Open recreational enterprises
- viii. Public utilities
- ix. Marijuana cultivation, production, research, or testing, medical marijuana treatment center, or retail if accessory to cultivation or production as a primary use, per §8.10
- x. Other uses similar to §5.2.8(a) in externally observable attributes.

5.2.9 HI. Historic Industrial District

(a) Permitted Uses:

- i. Business, professional, or medical office in an existing building
- ii. Retail sales and services in an existing building
- iii. Manufacturing, processing, or research in an existing building
- iv. Bulk storage, warehousing, distribution in an existing building
- v. Craft workshop or light assembly shop in an existing building

(b) Uses allowed by Special Permit from the Planning Board:

Special Town Meeting Warrant: March 3, 2022

- i. Uses listed in § 5.2.9(a) that are in new structures or additions to existing buildings
- ii. Multi-family dwelling
- iii. Hotels
- iv. Public utilities
- v. Solar energy and battery energy storage facilities, per §8.9
- vi. Marijuana retailer, medical marijuana treatment center, cultivation, production, research or testing, per §8.10
- vii. Self-service storage facilities, per §8.7
- viii. Open recreational enterprises
- ix. Farming and forestry on 5 acres or less
- x. Other uses similar to § 5.2.9(a) in externally observable attributes.

(c) Special Requirements

- i. Demolition of an existing structure requires a special permit from the Planning Board, excepting structures that have been deemed unsafe by the Inspector of Buildings.

Remove and replace Section 8.9 (Solar Energy Installations and Facilities) with the following text:

8.9 Solar Energy Installations & Facilities and Battery Energy Storage Facilities

8.9.1 Purpose

To facilitate the transition from fossil fuels to renewable energy through the following:

- To encourage solar energy collection on roofs, over parking lots, and on degraded areas and to minimize the environmental impact when that is not otherwise practical.
- To allow properly sited battery energy storage facilities.

8.9.2 Definitions

BUILDING MOUNTED SOLAR ENERGY INSTALLATION: A solar energy installation that is permanently affixed to a building, as defined by the building code. This definition is inclusive of canopy structures.

ACCESSORY GROUND MOUNTED SOLAR ENERGY INSTALLATION: A solar energy installation that primarily supports on-site energy needs that is mounted on the ground, either directly or on supports which do not constitute a building under the building code.

SOLAR ENERGY FACILITY: a ground-mounted solar energy installation that exceeds 2,000 square feet of panel surface area. Solar Energy Facilities shall not constitute a Public Utility for the purposes of this bylaw.

BATTERY ENERGY STORAGE FACILITY: a physical container providing secondary containment to one or more battery cells for storing electrical energy that is equipped with cooling, ventilation, fire suppression, and an electronic battery management system. It may be a primary use or accessory to a solar energy facility, power generation facility, an electrical substation or other similar uses. Battery Energy Storage Facilities shall not constitute a Public Utility for the purposes of this bylaw. For the purpose of this bylaw, the aggregate rating of the facility shall exceed 80 kWh.

SMALL SCALE BATTERY ENERGY STORAGE SYSTEM: a battery storage system that is ancillary to a residential, commercial, or industrial use. For the purpose of this bylaw, the aggregate rating of the system shall not exceed 80 kWh.

Special Town Meeting Warrant: March 3, 2022

8.9.3 Building Mounted Solar Energy Installations

Building Mounted Solar Energy Installations are permitted in all zoning districts.

8.9.4 Accessory Ground-Mounted Solar Energy Installations

Ground Mounted Solar Energy Installations shall be considered an accessory structure and shall meet the setback requirements of the Zoning District in which it is located. Ground-Mounted Solar Energy Installations are permitted in accordance with the following table:

Zoning District	Requirement
Neighborhood Business, Central Business, and Recreation-Education	Special Permit Required
RS-1	Special Permit Required if exceeding 150 square feet of panel surface area
All other districts	Special Permit Required if exceeding 500 square feet of panel surface area

8.9.5 Solar Energy Facilities and Battery Energy Storage Facilities

Solar Energy Facilities and Battery Energy Storage Facilities are allowed in the Industrial and Historic-Industrial Districts by Special Permit and Site Plan Review from the Planning Board, subject to the submittal requirements and standards of this section. The Planning Board may require additional conditions or vary the prescribed conditions upon a finding that such action is reasonably necessary to meet the purpose and intent of the Bylaws.

- (a) Required Submittals. In addition to the required Site Plan elements in §9, the following materials are required for permitting approval of Solar Energy and Battery Storage Facilities:
 - i. A plan for the general procedures of operation and maintenance of the installation including security measures, maintenance of emergency access and the clear and available means of shutting down the facility in the event of an emergency.
 - ii. A fully inclusive estimate of the costs associated with removal and site restoration, prepared by a professional engineer.
 - iii. Owners and successors in title shall provide a satisfactory form of surety, either through escrow account, bond or otherwise, to cover the cost of removal and restoration of the landscape, in an amount determined to be reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost of removal. Such surety may be waived for municipally or state owned facilities. The form of surety shall be subject to review and approval of Town Counsel.
 - iv. A stormwater management report prepared by a professional engineer.
 - v. A native flowering planting and maintenance plan that supports pollinator habitat within the project area and its perimeter. Plan to be developing in consistency with UMASS Clean Energy’s Extension Pollinator Friendly Solar PV Guide.

- (b) Special Permit Standards
 - i. Adequate access and parking shall be provided for service and emergency vehicles; however there shall be no exterior long term storage of equipment or service vehicles on the site.
 - ii. For every mature tree cleared for construction, measured in board feet of wood; at least an equivalent mass of living mature trees shall be retained on-site.

- iii. An 8 foot security fence shall be installed no closer to a property line than the setback required for a principal building. In addition, the site and its fencing shall be screened by buffering vegetation from general view from the surrounding ground level unless the Planning Board determines that there is no public benefit from such screening.
- iv. The facility shall provide a vegetated buffer strip of at least 100 feet from any street line property boundaries or from the property line of any abutting residential use.
- v. To the extent feasible, all network interconnections and power lines, to and from the facility, shall be via underground lines.
- vi. Drainage from impervious surfaces shall be fully accommodated onsite.
- vii. No ~~array~~ facility shall be floodlit.
- viii. Herbicides may not be used to control vegetation at the ~~solar electric installation~~ facility. The operator shall conduct annual monitoring of the pollinator plantings and will remove invasive species and replant native flowering plants as needed.
- ix. The owner of the ~~array~~ facility must provide for and post a 24 hour emergency contact phone number and identification of the owner. The information shall remain current and shall also be provided to the Police Chief and Fire Chief.
- x. Decommissioning Requirements. Any facility which has reached the end of its useful life or has been abandoned shall be decommissioned by the owner or operator who shall notify the Board by certified mail of the proposed date of shut down and removal. Decommissioning shall consist of the following:
 - Physical removal of all panels, structures, equipment, security barriers and transmission lines from the site within 180 days following the date of notice to the Board.
 - Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
 - Stabilization and re-vegetation of the site and erosion prevention.
 - The Town shall have the right, upon determination of abandonment, but not the obligation, to claim the financial surety, enter the site and remove the facility in accordance with the requirements of this section.
 - All facilities, attachments, and accessory structures which have not been used for a period of ~~one (1) year~~ two (2) years shall be considered abandoned. The removal expense shall be secured with the performance guarantee.
- xi. Battery Energy Storage Facilities are encouraged to co-locate with solar energy facilities, energy, power generation stations, and electrical sub-stations. Facilities that are a primary use shall be located within a physical building that is harmonious with the adjacent architecture. Relief from this requirement may be granted for exceptional screening or the provision of publicly accessible open space or recreational amenities.
- xii. All facilities must comply with the Massachusetts Electrical Code (527 CMR 12.00) and Fire Code (527 CMR 1.00).

8.9.5 Small Scale Battery Energy Storage System

Small Scale Battery Energy Storage Systems that are ancillary to and located within a permitted primary use are allowed in all zoning districts. All such systems must comply with the Massachusetts Electrical Code (527 CMR 12.00) and Fire Code (527 CMR 1.00).

Remove and replace Site Plan Review section 9.1.2(e) with the following text:

9.1.2 Applicability

The following activities and uses are subject to site plan review:

Special Town Meeting Warrant: March 3, 2022

- (a) All uses that involve the construction or expansion or change of use of over 3,000 square feet of floor area.
- (b) All uses that involve the development of over 130,680 square feet (3 acres) of land.
- (c) Any new structure, group of new structures, changes of use, or additions which result in an increase of 500 or more vehicle trips per day, as proposed in an applicant's business plan acceptable to the reviewing authority or estimated by a professional engineer.
- (d) All uses that involve the construction or expansion of a parking area that creates ten (10) or more new parking spaces, per §7.2.6
- (e) Specific Uses identified elsewhere in this bylaw:
 - Accessory Apartments within existing single family homes, per §8.5
 - Self-storage facilities, per §8.9
 - Solar energy and battery energy storage facilities, per §8.9
 - Medical Marijuana Treatment Center or Marijuana retailer, cultivation, production, research or testing, per §8.10
 - Open Space Residential Development, per §8.11
 - Planned Unit Development, per §8.12

or pass any vote or votes in relation thereto.

(Planning Board Request)

Given under our hands this ____ day of February in the Year of Our Lord Two Thousand and Twenty-Two.

Matthew Lord

Christopher M. Boutwell, Sr.

Richard Kuklewicz, Chairman
Selectmen, Town of Montague

Franklin, ss Montague, MA February ____, 2022

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 fourteen days before said meeting as within directed.

Constable of Montague

Special Town Meeting Warrant: March 3, 2022

**SPECIAL TOWN MEETING
TOWN OF MONTAGUE
COMMONWEALTH OF MASSACHUSETTS
March 3, 2022**

MOTIONS and BACKGROUND

ARTICLE 1. Allow remote meeting (Moderator Request)

MOVED: That the Town vote to conduct this Special Town Meeting remotely with the aid of Zoom Webinar. **Note: Counsel suggested we may not need to include this article.**

BACKGROUND INFORMATION: This vote is required to conduct the meeting remotely.

ARTICLE 2. Emergency Repairs to Town Cemeteries. (Cemetery Commission Request)

MOVED. That the Town vote to appropriate the sum of \$10,000 for the purpose of making emergency repairs to town cemeteries, including any and all incidental and related costs, said sum to be raised from Sale of Highland Cemetery Lots.

BACKGROUND INFORMATION: The Sale of Highland Cemetery Lots represents the funds of the Highland Cemetery being transferred to the custody of the town. These, unlike specific perpetual care funds, can be used for general cemetery maintenance. This appropriation would allow the Cemetery Commission to respond to emergency repairs without needing a Reserve Fund transfer or having to wait for a town meeting to appropriate funds each time money was needed.

ARTICLE 3. Repair Retaining Wall at Burnham Cemetery (Cemetery Commission Request)

MOVED. That the Town vote to appropriate the sum of \$10,000 for the purpose of repairing a retaining wall and for other related maintenance, renovations, and improvements at the Burnham Cemetery, including but not limited to the grading and clearing of trees to prevent recurrence of the issue, said sum to be raised from Free Cash.

BACKGROUND INFORMATION: The Burnham Cemetery is a town-owned cemetery located on South High Street in Montague City. A retaining wall is collapsing into an abutter's yard, in part due to pressure on the embankment it contains from substantial overgrowth of trees. The wall requires reconstruction, including bringing in new fill and retaining wall materials, as well as substantial tree work and grading to reduce the likelihood that this or other similar problems will occur again. Quotes relying on external vendors led to an original expected cost in excess of \$30,000, but the DPW is able to perform much of this work and requires only a budget for materials and some specialized tree work that may need to be subcontracted.

ARTICLE 4. Increase FY22 Airport Budget (Airport Commission Request)

MOVED: That the Town vote to appropriate the sum of \$20,377 for the purpose of increasing the FY22 Airport Budget, with \$3,000 to be transferred from Airport Benefits and \$17,377 to be raised from Airport Retained Earnings.

BACKGROUND INFORMATION: The main reason for this request is significant unexpected costs of over \$20K to get the house ready for rental. Unexpectedly high utility costs for the new property will take up any other slack in the budget. The Workers Compensation amount in the Airport Benefits budget is not needed, and can fund part of the appropriation, with the balance of Airport Retained Earnings covering the rest.

ARTICLE 5. Parks & Recreation Riding Mower (Parks & Recreation Request)

MOVED: That the Town vote to appropriate the sum of \$2,500 for the purpose of purchasing and equipping a riding mower for the Parks and Recreation Department, said sum to be raised from Free Cash.

BACKGROUND INFORMATION: The previous one died and needs to be replaced. The new riding lawn mower that will primarily be used as a utility vehicle to groom the infields, in addition to providing needed transport of supplies and equipment for other facility maintenance duties. The department's previous mower was 20+ years old when it died this past summer.

ARTICLE 6. Unity Park Surveillance System (Parks & Recreation Request)

MOVED: That the Town vote to appropriate the sum of \$4,500 for the purpose of purchasing and installing additional security cameras and updating the surveillance system at Unity Park, 56 1st Street, including any and all incidental and related costs, said sum to be raised from Free Cash.

BACKGROUND INFORMATION: The current surveillance system includes one camera focused on a small area of the playground, with information recorded and stored to a DVR unit for two weeks. This request includes the installation of three additional cameras (and one replacing the current unit) directed towards other areas of the playground, ballfield, and main parking lot/skatepark, with surveillance coverage stored in a cloud-based system that can be accessed 24/7. These cameras will also be equipped with night vision capabilities, similar to our current system.

ARTICLE 7. Increase FY22 Library Budget (Library Request)

MOVED: That the Town vote to appropriate the sum of \$10,616 for the purpose of increasing the Fiscal Year 2022 Libraries budget, said sum to be raised from Free Cash.

BACKGROUND INFORMATION: The retirement buyouts of former Library Director Linda Hickman were not anticipated or covered in the library's Fiscal Year 2022 budget. These additional funds would cover those costs.

ARTICLE 8. Engineering Plan for Carnegie Driveway (Library Request)

MOVED: That the Town vote to appropriate the sum of \$5,270 for the purpose of obtaining an engineered plan for the Carnegie Library's driveway project, including any and all incidental and related costs, said sum to be raised from Free Cash.

BACKGROUND INFORMATION: The basement of the Carnegie Public Library currently suffers from water leaking and seeping through the building façade. After assessing the building, it was noted that the grade of the library's driveway contributed to the amount of water entering the building's foundation and recommended that we dig up the current driveway and regrade it to ensure that water flows away from the building's foundation. SVE Associates developed a plan for re-grading the driveway, making space for a retaining wall, and ensuring the work integrates into the existing accessibility ramp. This has been completed, funded with State Aid to Libraries grant funds. This request would allow those costs to instead be charged to this special article, which would allow the State Aid to Libraries grant funds to be used for other intended purposes.

ARTICLE 9. New Assessing Software and Computers (Board of Assessors Request)

MOVED. That the Town vote to appropriate the sum of \$25,100 for the purpose of upgrading the Board of Assessors' software and purchasing related computer equipment, including any and all incidental and related costs, funded with the remaining \$4,750 in Article #13 of the May 3, 2014 Annual Town Meeting, which provided funds for this same purpose, and \$20,350 from Free Cash.

BACKGROUND INFORMATION: The current version of the software is outdated and does not work with Windows 10. As a result, we must log in separately to the old server to use this software, which adds technical issues from the mundane (data is not refreshed) to the significant (security issues, glitches with updates.) This article covers the cost of a new server and licenses (\$8,500), 2 new Dell All-in-One workstations (\$2,500) (the current computers are already scheduled for replacement in FY23), and the Patriot Properties' AssessPro software conversion (\$14,100). The Assessing software is a critical component of our appraisal functions. It is important to have software that is both secure and problem free to ensure continuation of timely cash flow via the tax billing process. The conversion program will be complex and require most of this year to accomplish therefore it is best to begin soon.

ARTICLE 10. Montague Student at Smith Vocational (Town Accountant Request)

MOVED: That the Town vote to appropriate sum of \$15,463 for the purpose of providing tuition for a Montague resident attending Smith Vocational School, said sum to be raised from Free Cash.

BACKGROUND INFORMATION: In October, a student at Smith Vocational High School moved to Montague. Since the student was already enrolled at Smith before they moved to Montague, they have the right to stay in their program through graduation per M.G.L. Chapter 74, with tuition to be paid by the town of residency..

ARTICLE 11. Hillcrest Flooring (Gill Montague Regional School District Request)

MOVED: That the Town vote to appropriate the sum of \$315,000 for the purpose of abating, replacing, and/or covering existing tile flooring in the Hillcrest Elementary School, including any and all incidental and related costs, said sum to be raised from the Town Capital Stabilization Fund.

BACKGROUND INFORMATION: Remediation and replacement of existing tile floors in the main traffic areas (12,150 square feet) of the Hillcrest Elementary School is necessary as the tile (non-friable) contain asbestos and several areas of the hallway have chipped recently and required removal and replacement. This problem should be remedied now before the problem worsens. The first step is to take core samples and have them tested. Then, All asbestos tiles in main traffic areas will be removed and replaced, along with the mastic and any sub-flooring, as necessary. Seamless epoxy flooring will be installed throughout the main traffic areas for durability. This will also fund installation of carpeting in any classrooms that are observed over time to develop similar issues.

The cost breakdown is:

Project Management	4,300
Abatement	136,900
Floor Replacement	109,450
Carpeting*	39 000
≈8% contingency	<u>25,350</u>
Total	315,000

*\$3,000 per room x 13

ARTICLE 12. Wastewater Collection System Engineering Study Grant Match (DPW/WPCF Request)

MOVED. That the Town vote to appropriate the sum of \$202,000 for the purpose of providing the necessary appropriation to ensure Montague is eligible for an expected \$150,000 MA DEP Asset Management grant to fund a comprehensive engineering assessment of the sources of Inflow & Infiltration (I&I) in the Millers Falls Collection System and the most efficient means to reducing Combined Sewer Overflow (CSO) events in the primary Turners Falls Collection System, including any and all incidental and related costs, said sum to be raised from XXXXX.

Special Town Meeting Motions and Background Information: March 3, 2022

BACKGROUND INFORMATION:

The Town has received strong indications that it will be awarded a MA Department of Environmental Protection (MA DEP) Asset Management Grant for a project with a total cost of \$250,000. MA DEP requires a \$100,000 match of their \$150,000 share, and allows the Town to pay its share through a mix of cash and in-kind contributions. The \$150,000 grant would be the maximum award. However, DEP requires that the Town first appropriate the full direct cost of the project, which would be \$202,000. The remainder would be in-kind match in the form of services of the DPW, as well as the WPCF superintendent and Town Administrator.

The results of this study will provide recommended solutions, with two alternatives modeled for the CSO problems, to the ongoing issues created by excessive levels of I&I and CSO events in the Millers Falls and the primary collection system, respectively. Once studies are complete, the Town will still need to commission full design plans and construction of the solution to each problem. DEP and EPA regulations require these longstanding issues to be addressed.

ARTICLE 13. Montague City Road Flooding (Town Administrator Request)

MOVED: That the Town vote to appropriate the sum of \$66,481 for the purpose of making improvements to reduce flooding and related issues on and along Montague City Road, including any and all incidental and related costs, said sum to be raised from **XXXXX**.

BACKGROUND INFORMATION:

The Montague City Road Flooding Relief Project combines nature-based solutions and traditional stormwater engineering to address the routine flooding of a main thoroughfare in the Town of Montague. The 1,150-foot section of Montague City Road regularly floods after moderate rainfall due to an undersized drainage channel that runs parallel to the flat roadway. The Montague City Road Flooding Relief Project was identified as a priority in Montague's Municipal Vulnerability Plan (MVP) Resiliency Plan because of the roadway's status as an emergency evacuation route.

The Montague City Road Flooding Relief Project is engineered to accommodate a 100-year flood event through restoration of the floodplain and wetlands surrounding the channel with a backstop of additional catch basins at the shoulder of the roadway to accommodate extreme precipitation events. The project is fully designed and permitted and has a matching grant of \$237,287 from the FEMA Pre-Disaster Mitigation Grant as well as a Town appropriation (10.16.21 Special Town Meeting) of \$135,000. This totals \$372,287, approximately \$6,647 over the expected project cost as it was designed in 2019.

This request would establish "bid contingency" of 20% for the project, bids for which are expected in early March, possibly before the March 3, 2022 STM. Many, but not all, bids have come in higher than expected over the past several months and the trend is expected

to continue in the immediate term. Bid contingency of 20% on a project estimated at \$365,640 would be \$73,126. The requested \$66,481 reflects the 20% bid contingency figure, less the \$6,647 currently in hand that is over and above the expected project cost.

This appropriation is timely because the terms of the FEMA grant require the work be completed by the end of the 2022 construction season, which will require the project to be bid this winter. This project may also be American Rescue and Recovery Act (ARPA)-eligible and the Selectboard may in the future have the ability to deploy a portion of that grant funding in lieu of spending against this article, or be able to supplement this funding in the event bids exceed the available funds described above. If bids are in prior to the March STM and require nothing or less than the amount requested, the article would be amended on Town Meeting floor.

Additional Project Detail

The current drainage configuration includes a man-made channel which runs alongside Montague City Road for a half mile, with a mean high-water level roughly equal to the roadway elevation for a ¼ mile stretch. The undersized drainage channel is blocked with silt and the community regularly endures flooding following heavy rain. Vehicles regularly get marooned if they knowingly or unknowingly enter the flooded roadway. Up to four residences with driveways at Montague City Road become trapped during floods and are effectively unable to receive emergency services during that time. There is a cost to the municipality associated with the routine road closures. The Town's engineers have cautioned that regular flooding and the high-water table will eventually destroy the roadbed if action is not taken.

Using observations and projections from the Resilient MA Climate Change Clearinghouse, the Town of Montague has projected that by the year 2050 precipitation in Franklin County will increase by between 3 and 4 inches annually. Because Montague City Road floods with precipitation events of 1" or more the Town anticipates 7-8 more annual flooding events in the future in addition to the 3-6 annual flooding events that currently occur.

ARTICLE 14. Zoning Bylaw for Battery Energy Storage Facilities (Planning Board Request)

MOVED: That the Town vote to amend Montague Zoning Bylaws sections 2, 5.2.8, 5.2.9, 8.9 and 9.1.2 to adopt a Zoning Bylaw Amendment relating to the regulation of Battery Energy Storage Facilities as shown below.

Proposed Zoning Bylaw Amendment relating to the regulation of Battery Energy Storage Facilities

Remove and replace the definition of Public Utility in Section 2 with the following text:

Section 2 Definitions

PUBLIC UTILITY: shall include power lines, power transmission, power generation facilities, and telecommunication facilities (See Section §8.6) but shall exclude solar energy installations, solar energy facilities, small scale battery energy storage systems, and battery energy storage facilities (See §8.9). A public utility may be privately owned but is otherwise regulated by the Mass Department of Public Utilities, the Federal Communications Commission, the Federal Energy Regulatory Commission, or other governmental agencies.

Add "battery energy storage facilities" to the list of uses allowed by Special Permit in the Industrial District (Section 5.2.8 (b) ii.) and Historic Industrial District (Section 5.2.9(b)v) with the following text:

5.2.8 ID. Industrial District

(a) Permitted Uses:

- i. Business office or professional office
- ii. Manufacturing, processing, or research
- iii. Bulk storage, warehousing, distribution
- iv. Agriculture or forestry products processing

(b) Uses allowed by Special Permit from the Planning Board

- i. All uses in §5.2.8(a) that involve the construction or alteration of over 20,000 square feet of floor area or the development of over 217,800 square feet (5 acres) of land.
- ii. Solar energy and battery energy storage facilities, per §8.9
- iii. Self-service storage facilities, per §8.7
- iv. Retail sales and services
- v. Hotels
- vi. Earth removal, per §8.2
- vii. Open recreational enterprises
- viii. Public utilities
- ix. Marijuana cultivation, production, research, or testing, medical marijuana treatment center, or retail if accessory to cultivation or production as a primary use, per §8.10
- x. Other uses similar to §5.2.8(a) in externally observable attributes.

5.2.9 HI. Historic Industrial District

(a) Permitted Uses:

- i. Business, professional, or medical office in an existing building
- ii. Retail sales and services in an existing building
- iii. Manufacturing, processing, or research in an existing building
- iv. Bulk storage, warehousing, distribution in an existing building
- v. Craft workshop or light assembly shop in an existing building

(b) Uses allowed by Special Permit from the Planning Board:

- i. Uses listed in § 5.2.9(a) that are in new structures or additions to existing buildings
- ii. Multi-family dwelling

Special Town Meeting Motions and Background Information: March 3, 2022

- iii. Hotels
- iv. Public utilities
- v. Solar energy and battery energy storage facilities, per §8.9
- vi. Marijuana retailer, medical marijuana treatment center, cultivation, production, research or testing, per §8.10
- vii. Self-service storage facilities, per §8.7
- viii. Open recreational enterprises
- ix. Farming and forestry on 5 acres or less
- x. Other uses similar to § 5.2.9(a) in externally observable attributes.

(c) Special Requirements

- i. Demolition of an existing structure requires a special permit from the Planning Board, excepting structures that have been deemed unsafe by the Inspector of Buildings.

Remove and replace Section 8.9 (Solar Energy Installations and Facilities) with the following text:

8.9 Solar Energy Installations & Facilities and Battery Energy Storage Facilities

8.9.1 Purpose

To facilitate the transition from fossil fuels to renewable energy through the following:

- To encourage solar energy collection on roofs, over parking lots, and on degraded areas and to minimize the environmental impact when that is not otherwise practical.
- To allow properly sited battery energy storage facilities.

8.9.2 Definitions

BUILDING MOUNTED SOLAR ENERGY INSTALLATION: A solar energy installation that is permanently affixed to a building, as defined by the building code. This definition is inclusive of canopy structures.

ACCESSORY GROUND MOUNTED SOLAR ENERGY INSTALLATION: A solar energy installation that primarily supports on-site energy needs that is mounted on the ground, either directly or on supports which do not constitute a building under the building code.

SOLAR ENERGY FACILITY: a ground-mounted solar energy installation that exceeds 2,000 square feet of panel surface area. Solar Energy Facilities shall not constitute a Public Utility for the purposes of this bylaw.

BATTERY ENERGY STORAGE FACILITY: a physical container providing secondary containment to one or more battery cells for storing electrical energy that is equipped with cooling, ventilation, fire suppression, and an electronic battery management system. It may be a primary use or accessory to a solar energy facility, power generation facility, an electrical substation or other similar uses. Battery Energy Storage Facilities shall not

constitute a Public Utility for the purposes of this bylaw. For the purpose of this bylaw, the aggregate rating of the facility shall exceed 80 kWh.

SMALL SCALE BATTERY ENERGY STORAGE SYSTEM: a battery storage system that is ancillary to a residential, commercial, or industrial use. For the purpose of this bylaw, the aggregate rating of the system shall not exceed 80 kWh.

8.9.3 Building Mounted Solar Energy Installations

Building Mounted Solar Energy Installations are permitted in all zoning districts.

8.9.4 Accessory Ground-Mounted Solar Energy Installations

Ground Mounted Solar Energy Installations shall be considered an accessory structure and shall meet the setback requirements of the Zoning District in which it is located.

Ground-Mounted Solar Energy Installations are permitted in accordance with the following table:

Zoning District	Requirement
Neighborhood Business, Central Business, and Recreation-Education	Special Permit Required
RS-1	Special Permit Required if exceeding 150 square feet of panel surface area
All other districts	Special Permit Required if exceeding 500 square feet of panel surface area

8.9.5 Solar Energy Facilities and Battery Energy Storage Facilities

Solar Energy Facilities and Battery Energy Storage Facilities are allowed in the Industrial and Historic-Industrial Districts by Special Permit and Site Plan Review from the Planning Board, subject to the submittal requirements and standards of this section. The Planning Board may require additional conditions or vary the prescribed conditions upon a finding that such action is reasonably necessary to meet the purpose and intent of the Bylaws.

- (a) Required Submittals. In addition to the required Site Plan elements in §9, the following materials are required for permitting approval of Solar Energy and Battery Storage Facilities:
- i. A plan for the general procedures of operation and maintenance of the installation including security measures, maintenance of emergency access and the clear and available means of shutting down the facility in the event of an emergency.
 - ii. A fully inclusive estimate of the costs associated with removal and site restoration, prepared by a professional engineer.
 - iii. Owners and successors in title shall provide a satisfactory form of surety, either through escrow account, bond or otherwise, to cover the cost of removal and restoration of the landscape, in an amount determined to be reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost of removal. Such surety may be waived for

municipally or state owned facilities. The form of surety shall be subject to review and approval of Town Counsel.

- iv. A stormwater management report prepared by a professional engineer.
- v. A native flowering planting and maintenance plan that supports pollinator habitat within the project area and its perimeter. Plan to be developing in consistency with UMASS Clean Energy's Extension Pollinator Friendly Solar PV Guide.

(b) Special Permit Standards

- i. Adequate access and parking shall be provided for service and emergency vehicles; however there shall be no exterior long term storage of equipment or service vehicles on the site.
- ii. For every mature tree cleared for construction, measured in board feet of wood; at least an equivalent mass of living mature trees shall be retained on-site.
- iii. An 8 foot security fence shall be installed no closer to a property line than the setback required for a principal building. In addition, the site and its fencing shall be screened by buffering vegetation from general view from the surrounding ground level unless the Planning Board determines that there is no public benefit from such screening.
- iv. The facility shall provide a vegetated buffer strip of at least 100 feet from any street line property boundaries or from the property line of any abutting residential use.
- v. To the extent feasible, all network interconnections and power lines, to and from the facility, shall be via underground lines.
- vi. Drainage from impervious surfaces shall be fully accommodated onsite.
- vii. No array facility shall be floodlit.
- viii. Herbicides may not be used to control vegetation at the solar electric —installation facility. The operator shall conduct annual monitoring of the pollinator plantings and will remove invasive species and replant native flowering plants as needed.
- ix. The owner of the array facility must provide for and post a 24 hour emergency contact phone number and identification of the owner. The information shall remain current and shall also be provided to the Police Chief and Fire Chief.
- x. Decommissioning Requirements. Any facility which has reached the end of its useful life or has been abandoned shall be decommissioned by the owner or operator who shall notify the Board by certified mail of the proposed date of shut down and removal. Decommissioning shall consist of the following:
 - Physical removal of all panels, structures, equipment, security barriers and transmission lines from the site within 180 days following the date of notice to the Board.
 - Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
 - Stabilization and re-vegetation of the site and erosion prevention.
 - The Town shall have the right, upon determination of abandonment, but not the obligation, to claim the financial surety,

enter the site and remove the facility in accordance with the requirements of this section.

- All facilities, attachments, and accessory structures which have not been used for a period of ~~one (1) year~~ two (2) years shall be considered abandoned. The removal expense shall be secured with the performance guarantee.
- xi. Battery Energy Storage Facilities are encouraged to co-locate with solar energy facilities, energy, power generation stations, and electrical substations. Facilities that are a primary use shall be located within a physical building that is harmonious with the adjacent architecture. Relief from this requirement may be granted for exceptional screening or the provision of publicly accessible open space or recreational amenities.
- xii. All facilities must comply with the Massachusetts Electrical Code (527 CMR 12.00) and Fire Code (527 CMR 1.00).

8.9.5 Small Scale Battery Energy Storage System

Small Scale Battery Energy Storage Systems that are ancillary to and located within a permitted primary use are allowed in all zoning districts. All such systems must comply with the Massachusetts Electrical Code (527 CMR 12.00) and Fire Code (527 CMR 1.00).

Remove and replace Site Plan Review section 9.1.2(e) with the following text:

9.1.2 Applicability

The following activities and uses are subject to site plan review:

- (a) All uses that involve the construction or expansion or change of use of over 3,000 square feet of floor area.
- (b) All uses that involve the development of over 130,680 square feet (3 acres) of land.
- (c) Any new structure, group of new structures, changes of use, or additions which result in an increase of 500 or more vehicle trips per day, as proposed in an applicant's business plan acceptable to the reviewing authority or estimated by a professional engineer.
- (d) All uses that involve the construction or expansion of a parking area that creates ten (10) or more new parking spaces, per §7.2.6
- (e) Specific Uses identified elsewhere in this bylaw:
 - Accessory Apartments within existing single family homes, per §8.5
 - Self-storage facilities, per §8.9
 - Solar energy and battery energy storage facilities, per §8.9
 - Medical Marijuana Treatment Center or Marijuana retailer, cultivation, production, research or testing, per §8.10
 - Open Space Residential Development, per §8.11

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- Planned Unit Development, per §8.12

BACKGROUND INFORMATION: The proposed bylaw amendment was developed by the Planning Board in anticipation of the proliferation of commercial-scale battery energy storage technology in response to renewable energy initiatives at the state and federal level. The Board recognizes that such technologies will help facilitate the transition from fossil fuel dependency to renewable energy, however such uses must be properly planned and located in order to protect the public health, safety, and welfare.

Under current zoning, a battery energy storage facility would be considered a “Public Utility” use which is allowed by Special Permit in all zoning districts except RS-1 and RS-2. The proposed bylaw represents an increase in restrictiveness in terms of land area and permit standards over a “public utility” use, however the proposed amendments are intended to prescribe a clearer set of standards/expectations that would facilitate the granting of a special permit for a properly sited and planned facility.

Summary of Recommended Bylaw Changes:

- Allow battery energy storage facilities by Special Permit and Site Plan Review from the Planning Board in Historic-Industrial and Industrial Districts
- Regulate battery storage facilities to the same standards as solar energy facilities
- Additional regulation to encourage battery storage to co-locate with like uses such as solar facilities, generation plants, and electrical substations. For a facility that does not co-locate, there are additional requirements that the facility be housed within a building or will otherwise require additional mitigation.
- Incorporate new standards for pollinator-friendly plantings at solar and battery storage facilities
- Establishes an exemption for battery storage less than 80kwh in size that is accessory to residential and small scale commercial. Every home and business can have a battery, subject to current fire and electrical codes
- Minor housekeeping amendments recommended by town counsel relating to decommissioning and surety requirements

**Summary of FY22 STM - FY23 ATM
Capital and Financial Article Requests**

Expected Financial Article Requests

As of February 3, 2022

Submitted by...	Project Description	STM Votes			Annual* ATM	Comments
		FinCom Vote	CIC Vote	Winter STM		
Capital						
WPCF	WPCF Facility Screw Pumps				\$ 730,000	Screw pumps and electrical/controls. Steel prices rising sharply
WPCF	WPCF Back-Up Generator (450kW)				\$ 130,000	Exploring MVP Grant Opportunity. Current unit not viable
WPCF	RTV with plow and salt spreader			0		Decision to re-prioritize as other demands emerged
DPW/WPCF	Wastewater Collection System Engineering Studies		5-0	\$ 202,000		Full value of engineer contract, offset by \$150,000 DEP Grant
Selectboard	Town Hall Main Roof Replacement				\$ 125,000	Based on revised cost assessment by roof consultant
Selectboard	Shea Theater Front (Lower) Roof Replacement				\$ 60,000	Quote for Roof component = 35k; HVAC Estimate Pending
Library	Carnegie Library Basement Renovation				\$ 99,246	Received revised scope. Re-establish viable office space
Library	Montague Center Library Masonry Repair				\$ 100,000	Quote in hand, project on advice of structural engineer
DPW	Replacement of Sewer/Storm Drain Vector Truck				\$ 495,000	Lease option at \$108k/ 5 years. Seeking revised quotes
DPW	DPW Discretionary				\$ 100,000	Discretionary funds for vehicle and equipment expenses
Board of Assessors	Upgrade Assessing Software and Servers		5-0	\$ 25,100		\$20,350 is total cost, previous article will cover remainder.
Health Department	Vehicle for Inspections				\$ 30,000	Selectboard wishes to discuss before this moves forward
GMRSD	Hillcrest Floor Covering Repair/Replacement		5-0	\$ 315,000		Summer 2022 project. Cost increased allows subfloor abatement
In the event of possible bid over-run...						
Selectboard	Montague City Road Flooding Relief Project		5-0	\$ 66,481		To create 20% Bid contingency. Bid results expected early March
Non-Capital Requests						
Parks and Recreation	Unity Park Security Camera System	3-1-3		\$ 4,500		Replace and expand existing system for better coverage
Parks and Recreation	Riding Lawn Mower	7-0		\$ 2,500		Replaces old, failed unit
Town Accountant	Smith Vocational School Student Tuition and Related	7-0		\$ 15,463	\$ 20,000	Student attending Smith Vocational School - unique program
Airport	Increase operating budget for unanticipated expenses	7-0		\$ 20,377		Transfer available funds - Rental property repair
Library	Engineering for Carnegie Parking Lot/Drainage	7-0		\$ 5,270		Parking lot to be rebuilt by DPW
Library	Costs of unexpected employee retirement	7-0		\$ 10,616		Linda Hickman Retirement
Cemetery Commission/DPW	Repair of Burnham St. Cemetery Retaining Wall	7-0		\$ 10,000		DPW material budget to perform work at request of Cem Comm
Cemetery Commission	Emergency Repairs Fund	7-0		\$ 10,000		Appropriated from sale of cemetery plots
Police	Police Discretionary Account				\$ 10,000	
Conservation Commission	Supplement to Waidlich Conservation Fund				\$ 10,000	
Total				\$ 687,307	\$ 1,909,246	

* Annual Town Meeting column include financial articles with the exception of annual appropriations to reserves.

These articles are now planned for ATM. They would rescind previously established bonding authority:

ARTICLE: To see if the Town will vote to rescind the unused \$286,809.92 borrowing authority as voted pursuant to Article #8 of the February 25, 2021 Special Town Meeting, which appropriated \$1,450,000 for the purpose of acquiring three properties for airport and aviation purposes, or to pass any vote or votes in relation thereto.

ARTICLE: To see if the Town will vote to rescind the unused \$1,305,011.05 borrowing authority as voted pursuant to Article #1 of the March 29, 2018 Special Town Meeting, which appropriated \$11,146,762 for the purpose of building and equipping a new DPW Facility, or to pass any vote or votes in relation thereto.



Town of Montague
SPECIAL ARTICLE REQUEST
NON-CAPITAL FINANCIAL REQUEST

FY 22

Form for use with capital article submissions < \$25,000 with a lifespan < 5 years
Please complete this form in its entirety!

Department: Parks & Recreation Submitted by: Jon Dobosz, Director

Item/Project Cost: \$2,500 Date Prepared: 10/28/21

Item/Project Title: Riding Lawn Mower

Proposed Article Wording:

To see if the town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$2,500 or any other amount for the purpose of purchasing a new riding lawn mower, or pass any vote or votes in relation thereto.

Detailed Description for Background Materials: (Provide a full description of the item or service. Use attachments as needed.)

The Parks & Recreation Department utilizes a small riding lawn mower as a utility vehicle to not only groom the infield areas of ballfields, but also provide needed transport of supplies and equipment for other facility maintenance duties.

Enter response

Have you received an estimate as a basis for cost? (yes/no)

Formal, no; based upon on-line prices

- If yes, please attach estimate

Are grant or other funds available to offset cost? (yes/no)

No
Please specify grant program/source of funds
Value of the offset \$
Probability of availability %

Please specify grant program/source of funds

Value of the offset \$

Probability of availability %

Will this be a lease or a recurring expense? (yes/no)

Purchase, but a lease may be possible
If yes, over how many years:
What annual cost (If payments vary attach payment plan): \$

If yes, over how many years:

What annual cost (If payments vary attach payment plan): \$

Will this item or project replace old equipment? (yes/no)

Yes
If replacement, estimate surplus value: \$ 100 (?)

Is this expected to require other investments? (yes/no)

No
Increased(+) /decreased(-) operational cost (if no, "0") \$ + / -
Increased(+) /decreased(-) equipment or material cost (if no, "0") \$ +/-

Why is it essential that the Town makes this purchase in the coming fiscal year?

Our current riding lawn mower is over twenty years old and broke down during the set-up of the Soapbox Races. It could possibly be repaired, but due to its age, its long-term reliability is in question.

Relative Priority

Your view of the overall priority of this item or project to the Town

Critical	High	Moderate	Low
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

If you are submitting more than one project, how does this rate relative to the others you submitted?

First	Second	Third	Fourth or Lower
<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments on relative priority:

The lawn mower proposal seeks to improve overall departmental efficiency, while the surveillance system request protects the safety and well-being of patrons, staff and Town property.

Final recommendation of _____: Support Not Support

Comments on Recommendation:

[Empty box for comments on recommendation]



Town of Montague
SPECIAL ARTICLE REQUEST
NON-CAPITAL FINANCIAL REQUEST

FY 22

Form for use with capital article submissions < \$25,000 with a lifespan < 5 years
Please complete this form in its entirety!

Department: Parks & Recreation Submitted by: Jon Dobosz, Director

Item/Project Cost: \$4,000 Date Prepared: 10/24/21

Item/Project Title: Surveillance System Upgrades for Unity Park

Check here if this request is for FY22 Special Town Meeting

Proposed Article Wording:

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 installing additional security cameras and updating the surveillance system at Unity Park, or pass any vote or votes in relation thereto.

Detailed Description for Background Materials: *(Provide a full description of the item or service. Use attachments as needed.)*

Our current surveillance system entails one camera focused on a small area of the playground, with information recorded and stored to a DVR unit for two weeks. This request includes the installation of four cameras (including one replacing the current unit) directed towards other areas of the playground, ballfield, and main parking lot/skatepark, with surveillance coverage stored in a cloud-based system that can be accessed 24/7. These cameras will also be equipped with night vision capabilities, similar to our current system.

Enter response

Have you received an estimate as a basis for cost? (yes/no) Yes

- If yes, please attach estimate

Are grant or other funds available to offset cost? (yes/no) Not that we're aware of

Please specify grant program/source of funds

Value of the offset \$

Probability of availability %

Will this be a lease or a recurring expense? (yes/no)

No

If yes, over how many years:

What annual cost (If payments vary attach payment plan):

\$

Will this item or project replace old equipment? (yes/no)

Yes

If replacement, estimate surplus value:

\$

Is this expected to require other investments? (yes/no)

Yes
\$ + 676.00/annual subscription license
\$ +/-

Increased(+) /decreased(-) operational cost (if no, "0")

Increased(+) /decreased(-) equipment or material cost (if no, "0")

Why is it essential that the Town makes this purchase in the coming fiscal year?

Unity Park has seen an increase in anti-social behavior in the past year, and it is clear that a reliable system must be in place to protect the general public and town resources.

Relative Priority

Your view of the overall priority of this item or project to the Town

Critical	High	Moderate	Low
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

If you are submitting more than one project, how does this rate relative to the others you submitted?

First	Second	Third	Fourth or Lower
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments on relative priority:

The lawn mower proposal seeks to improve overall departmental efficiency, while this request focuses on protecting the safety and well-being of patrons, staff and Town property.

Final recommendation of _____:

Support

Not Support



Town of Montague
SPECIAL ARTICLE REQUEST
NON-CAPITAL FINANCIAL REQUEST

FY 22

Form for use with capital article submissions < \$25,000 with a lifespan < 5 years
Please complete this form in its entirety!

Department: Montague Public Libraries Submitted by: Caitlin Kelley

Item/Project Cost: \$5,270.00 Date Prepared: 12/22/2021

Item/Project Title: Engineered Plan for Carnegie Library Driveway Project

Check here if this request is for FY22 Special Town Meeting

Proposed Article Wording:

To see if the town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$ 5,270 or any other amount for the purpose of creating an engineered plan for the Carnegie Library's driveway project, or pass any vote or votes in relation thereto.

Detailed Description for Background Materials: (Provide a full description of the item or service. Use attachments as needed.)

The basement of the Carnegie Public Library currently suffers from water leaking and seeping through the building façade. After assessing the building, structural engineer Bob Leet noted that the grade of the library's driveway contributed to the amount of water entering the building's foundation and recommended that we dig up the current driveway and regrade it to ensure that water flows away from the building's foundation. He suggested that we hire a civil engineer to draw up a plan for re-directing water away from the building and toward the street. Subsequently Tom Bergeron of the DPW and myself, the library director, met with SVE Associated who agreed to come up with a plan that would allow for regrading the driveway, making space for a retaining wall, and coordinate with the existing handicap ramp.

Enter response

Have you received an estimate as a basis for cost? (yes/no) Yes

- If yes, please attach estimate

Are grant or other funds available to offset cost? (yes/no) Not that we're aware of

Please specify grant program/source of funds

Value of the offset \$

Probability of availability %

Will this be a lease or a recurring expense? (yes/no)

No

If yes, over how many years:

What annual cost (If payments vary attach payment plan):

\$

Will this item or project replace old equipment? (yes/no)

No

If replacement, estimate surplus value:

\$

Is this expected to require other investments? (yes/no)

No

Increased(+) /decreased(-) equipment or material cost (if no, "0")

\$ +/-

Why is it essential that the Town makes this purchase in the coming fiscal year?

Directing water away from the Carnegie Library's basement is the first critical step in creating a habitable space for library staff to carry out their work.

Relative Priority

Your view of the overall priority of this item or project to the Town

Critical

High

Moderate

Low

If you are submitting more than one project, how does this rate relative to the others you submitted?

First

Second

Third

Fourth or Lower

Comments on relative priority:

Final recommendation of _____:

Support

Not Support

Comments on Recommendation:

SVE Associates

PO Box 1818, Brattleboro, VT 05302

802-257-0561

Fax 802-257-0721

Agreement for Professional Services

Name Caitlin Kelley
201 Avenue A
Turners Falls, MA 01376

Office Phone: 413-863-3214
Fax: 413-863-3227
Cell Phone:
Home Phone:
Email: librarydirector@montague-ma.gov
Date: 12/2/2021

hereinafter referred to as CLIENT, and SVE ASSOCIATES, of Brattleboro, Vermont, a division of CERSOSIMO INDUSTRIES, INC. and in consideration of the mutual agreements contained herein, agree as follows:

1. **AGREEMENT:**
 - a) SVE agrees to provide services as directed in Paragraph 2 hereof.
 - b) CLIENT agrees to pay for those services according to the schedule and terms of payment described in Paragraph 3 hereof.
2. **DESCRIPTION OF SERVICES:**
 - a) Project Name: Carnegie Public Library Driveway Repair & Improvements
 - b) Project Location: 201 Avenue A, Turners Falls, MA 01376
 - c) Project Services: See "Exhibit 'A'"
3. **PAYMENT:** The above-described services will be provided for the **ESTIMATED** sum [see paragraph 6.a] of **\$ 5,270.00**. A retainer of **\$ 0.00** balance of payments for services shall be as follows:
 - a) SVE shall submit invoices, at least monthly, to Client for services rendered and for reimbursable expenses incurred.
 - b) Client shall pay net within fifteen (15) days from the date of invoice. Any complaint of error in an invoice or any complaint regarding work that an invoice seeks payment for not made by Client to SVE within ten (10) working days from date of receipt of invoice is waived by Client.
 - c) Any retainer paid to SVE will be held by SVE and will be credited against the final invoice. Any balance of the retainer remaining after payment of the final invoice shall be refunded without interest to the Client.
 - d) The monthly invoice shall include a statement of any "extras" which have been performed. Extras are those services performed which are not included as part of the original above-described services or are defined in the original described services as those services which are to be billed as "extras".
 - e) If client fails to make any payment within thirty (30) days of the date of invoice, the amount due thereunder shall increase at a rate of 1.0% per month thereafter from date of invoice.
 - f) If client fails to make any payment within thirty (30) days of the date of invoice, SVE may suspend services under this agreement until payment is received. It is agreed by the Client that suspension of services under this provision shall be the sole discretion of SVE and shall not under any circumstances constitute a breach of contract or result in any liability for SVE. SVE shall have the right to withhold all work produced until paid in full.
 - g) If Client terminates this agreement as provided for in Paragraph 8 hereof, then SVE shall prepare a final invoice based upon the unpaid services, extras and reimbursables to date.
 - h) Reimbursable expenses are mileage, copying fees and other actual costs incurred by SVE, including, but not limited to, recording fees, aerial photography, charges of independent professionals such as a wildlife biologists, and any other costs incurred plus a 10% administration fee. In the event Client terminates the contract, he shall pay for all reimbursable expenses whether previously invoiced or not.
 - i) Client will be responsible for all costs of collection, including legal fees, on overdue accounts.
4. **GENERAL PROVISIONS:**
 - a) SVE agrees to provide services with a reasonable level of care and skill according to the standards of the professional practice for the State or county where the project is located.

SVE DOES NOT PROVIDE OR EXTEND TO CLIENT OR ANY OTHER PERSON OR ENTITY ANY EXPRESS OR IMPLIED WARRANTIES OF ANY NATURE WHATSOEVER AND SPECIFICALLY EXCLUDES ANY AND ALL WARRANTIES OF FITNESS SUITABILITY OR MERCHANTABILITY IN CONNECTION WITH THE SERVICES PROVIDED UNDER THIS AGREEMENT.

Client and SVE agree that SVE has no obligation to indemnify Client or any other person for any matter that may arise out of the action or inaction of SVE. Client agrees to defend, hold harmless and indemnify SVE, its agents, subcontractors and employees from and against any and all claims, defense costs, including attorney's fees, damages or any other liability arising out of any action or inaction of Client arising out of or associated with this agreement.

SVE and Client hereby further acknowledge and agree that SVE does not and will not have any obligation to Client, or any other person, as a fiduciary.

- b) SVE agrees to proceed in a timely manner to perform herein described services. SVE will not be responsible for delays which occur by operation of outside influence beyond the control of SVE including delays caused by actions of governmental bodies or delays which occur as a result of actions of the Client including, but not limited to, changes made at the request of the Client or delays caused by information. Client shall advise SVE prior to signing of this Agreement of any particular needs of Client with respect to the time services are to be performed. All matters of time and service shall be determined by SVE in its sole discretion.
- c) SVE is authorized to proceed immediately or otherwise in SVE's sole discretion to perform services upon receipt of a signed copy of this agreement unless otherwise agreed in writing by the parties.
- d) All protective terms of this agreement shall be for the benefit of SVE and all of its agents, employees, consultants, subconsultants and associates. SVE as used herein shall include Cersosimo Industries, Inc.

5. CLIENT RESPONSIBILITIES: In order to prevent delay, Client shall do the following in a timely manner.

- a) Provide all criteria and full information in writing as to client's requirements for the project, including design objectives and constraints, space, capacity and performance requirements, any budgetary limitations, and any particular requirements with respect to timing.
- b) Assist SVE in obtaining and provide all available information pertinent to the project including, but not limited to:
 - (1) Information of the Client relevant to the project.
 - (2) Data prepared by others.
 - (3) Survey data prepared by others.
 - (4) Property description including deed or lease.
 - (5) Other information requested by SVE Associates.
- c) Arrange for access to and make all provisions for entry by SVE or its agents on public or private property where reasonably necessary for the fulfillment of SVE's performance. SVE shall not be liable for delays or inability to complete services where permission to enter has not been obtained and is reasonably necessary for the fulfillment of services. SVE will take reasonable precautions to minimize damage to property, but unavoidable damage or alteration may occur and Client agrees to assume responsibility for such damage or alteration.
- d) Obtain legal opinions when requested by SVE or wherever necessary to implement the Client's project as designed. This provision shall not impose an obligation on SVE to inform Client that legal opinions may or may not be necessary nor shall SVE be required to accept the validity of any legal opinion obtained by Client.
- e) Give SVE prompt notice of any occurrence, fact or information including financial information which may affect the scope or time of SVE's services.
- f) Bear all costs incident to Client's performance including, but not limited to, all application fees, permit fees, legal fees, recording fees or other fees.

6. DEFINITIONS:

- a) "ESTIMATED". The term "estimated" as used in this agreement means the amount that could be charged under optimal job conditions and does not include extra work and services, which are necessitated by conditions, or circumstances which arise or become known to SVE during the course of the work. Estimates are not binding on SVE and the Client should expect that the amount actually billed will be a greater or lesser sum.
- b) "SERVICES" as used in the title block or elsewhere in this agreement includes, but is not limited to, the services, which SVE performs for Client in its capacity as an engineer, land surveyor, landscape architect or other.

7. WORK PRODUCT: The underlying notes, papers, independent professional reports, computations, electronic data, sketches, drawings, surveys, specifications, research, and analyses are and shall remain the property of SVE. The Client shall be entitled to one copy of all final documents for use by him in connection with the use and occupancy of the project site. Such copies are not intended nor represented to be suitable for reuse by Client on extensions of the project or on any other project. Any reuse by Client without written consent and verification by SVE will be at Client's sole risk and without liability to SVE or its agents, employees, subcontractors, associates or consultants. Any use by third parties without license of SVE is forbidden.

8. TERMINATION: The obligation to provide further services under this agreement may be terminated by either party upon thirty (30) days written notice if either party fails to perform in accordance with the terms hereof. This provision is in addition to rights of termination of SVE pursuant to Paragraph (3. f) of this agreement.

9. This Agreement shall be governed by the laws of the State where the project is located.

10. This Agreement shall not be assigned by Client except by written agreement of SVE.

11. This Agreement and any Schedules attached hereto comprise the entire agreement of the parties and any changes hereto shall be in writing executed by both parties.

12. This Agreement and the services contemplated are for the sole benefit of SVE and the Client and not for the benefit of any other party and shall not be construed to give rights or benefits to anyone other than SVE or Client.

13. ADDITIONAL LIMITATIONS ON LIABILITY FOR DAMAGES: In addition to limitations previously described in Paragraph 4 hereof, SVE and all of its agents and employees shall have no liability to Client or third parties and Client shall hold SVE, its agents, employees, subcontractors, associates and consultants harmless and defend it from claims made by client or third parties which are in any way related to the existence of, identification of, management of, cleanup of or treatment of hazardous materials or wastes whether or not Client requests services in connection therewith or whether or not SVE provides services in connection therewith.

14. LIQUIDATED DAMAGES: The parties hereto agree that in any event or circumstances the liability of SVE and all of its agents, employees, consultants, subconsultants and associates is limited to the total fees received by SVE from Client unless otherwise agreed in writing and upon payments by Client of an agreed to additional fee therefore. This limitation shall apply regardless of the cause of action or legal theory pled or asserted.

The Client further agrees that when the work of SVE Associates hereunder relates to real estate of the Client, then such work shall be "for erecting, repairing, moving or altering improvements to real estate: and therefore shall be entitled to the protection of Title 9 Vermont Statutes Annotated, Ch. 51, Subchapter 1 section 1921 et. seq.

15. **LIMITATIONS ON ACTIONS:** In addition to all other limitations otherwise described in this agreement, no action or claim shall be asserted by Client or others claiming by, for or through Client after three (3) years from the date of service rendered by SVE, its agents, employees, consultants, subconsultants or associates whether Client had actual knowledge of a possible claim. This limitation shall apply regardless of the cause of action or legal theory pled or asserted.

THIS AGREEMENT IS SUBJECT TO THE TERMS AND CONDITIONS ON BOTH PAGES HEREOF.

We, the undersigned, have read and agree to the terms and conditions on both pages of this agreement.

12/8/2021
Date

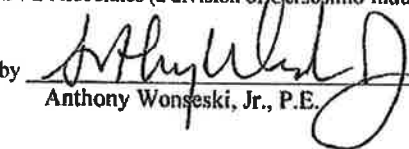

Client

Date

Client

SVE Associates (a division of Cersosimo Industries, Inc.)

12-8-21
Date

by 
Anthony Wonseski, Jr., P.E. its duly authorized agent

PLEASE RETURN ONE SIGNED COPY OF THE CONTRACT WITH RETAINER, IF REQUESTED

Exhibit "A"

**Scope of Services
For
Carnegie Library
Driveway Repair & Improvements
201 Avenue A, Turners Falls, MA 01376
December 2, 2021**

1. Limited Supplemental Topographic Survey	\$ 1,470.00
a. Property Boundary Research	
b. Limited Detail & Topographic Survey	
2. Existing Condition Plan	\$ 800.00
a. Create Existing Condition Plan for purposes of conceptual design	
3. Conceptual Design	\$ 2,400.00
a. Create a Conceptual Design to improve drainage at the rear of the building	
b. Up to two Conceptual designs provided	
4. Coordinate and Meetings with Client	<u>\$ 600.00</u>
a. 6-hour allowance	

Authorized Amount: \$5,270.00

Services Not Included:

1. Geotechnical Engineering
2. Survey related Services (beyond item mentioned above)
3. Finalized Design & Specifications
4. Construction Documents & Related Services

Extra/Additional Services can be provided with Client authorization on a time and materials basis in accordance with the attached Fee Schedule.

SVE

SVE Associates

Engineering
Planning
Landscape Architecture
Surveying

STANDARD BILLING RATES

SVE Associates - Brattleboro

January 1, 2021

ENGINEERING

Principal Engineer, P.E.	\$165.00
Senior Engineer, P. E.	\$160.00
Project Manager, P. E.	\$130.00
Associate Engineer, P. E.	\$100.00
Associate Engineer I	\$95.00
Engineering Technician	\$85.00

LANDSCAPE ARCHITECTURE

Senior Landscape Architect	\$110.00
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SURVEYING

Two-person Field Crew	\$165.00
Field Person with Robotic Instrument	\$135.00
GPS with Operator	\$150.00

COMPUTER DRAFTING

Draftsperson/ CAD Operator	\$75.00
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ADMINISTRATIVE SERVICES

Clerical Assistance	\$55.00
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<u>ATV</u>	\$385.00/ day
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TRAVEL

Time will be billed at individual's standard rate and mileage at \$0.56 per mile.

SUBCONTRACTING

Amount invoiced to SVE plus 10%

www.sveassoc.com

P.O. Box 1818
439 West River Road
Brattleboro, VT 05302

Tel. 802 257-0561
Fax 802 257-0721



Town of Montague

SPECIAL ARTICLE REQUEST – CAPITAL EXPENSE

FY 23

This form is intended for use with capital article submissions ≥ \$25,000 with a lifespan of 5+ years. For major building projects, please consult the Town Administrator.

Please complete this form in its entirety! Initial Submission due November 1

Department: Assessing Dept Submitted by: Karen Tonelli

Item/Project Cost: \$25,100 Date Prepared: January 26, 2022

Item/Project Title: Conversion – Computer Assisted Mass Appraisal software/hardware/possible new server

✓ Check here if this request is for FY22 Special Town Meeting

Proposed Article Wording:

To see if the town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$25,100 or any other amount for the purpose of Assessing Software Conversion, or pass any vote or votes in relation thereto.

Detailed Description for Background Materials: (Provide a full description of the item or service. Use attachments as needed.)

The current version of software used by the Assessing Department is outdated and does not work well with new Windows applications. As a result, we are experiencing software issues from the mundane (data is not refreshed) to the significant (security issues, glitches with updates).

An existing article for this purpose (ATM 5/3/14 Article #13) has a balance of \$4,750 that can be applied to this expense.

Enter response

Have you received an estimate as a basis for cost? (yes/no)

Yes

- If yes, please attach estimate

Are grant or other funds available to offset cost? (yes/no)

NO

Please specify grant program/source of funds

Value of the offset

Probability of availability

Is there a lease option for this expense? (yes/no)

no
If yes, what is max years: n/a
Is payment schedule known (yes/no; attach plan): n/a

Will this item or project replace old equipment? (yes/no)

yes
If replacement, estimate surplus value: \$unknown

Will it create other ongoing costs or savings? (yes/no)

Yes – increase in annual support
Operational cost impacts (if no, "0") \$ + / unknown
Equipment or material cost impacts (if no, "0") \$ +/-unknown

Why is it essential that the Town makes this purchase in the coming fiscal year?

The Assessing software is a critical component of our appraisal functions. It is important to have software that is both secure and problem free to ensure continuation of timely cash flow via the tax billing process. The conversion program will be complex and require most of this year to accomplish therefore it is best to begin soon.

Relative Priority

Your assessment of the how important this is to the Town at the present time.

Critical Importance

Highly Important

Moderately Important

XX

O

O

If you are submitting more than one project, how does this rate relative to the others you are submitting?

First

Second

Third

Fourth or Lower

XX

O

O

O

Comments on relative priority:

Converting assessment data is very time consuming. It requires attention to detail on multiple levels to ensure correct property data is carried over from one system to another and, as such, the timing of when to do a project of this size should be well thought out. Karen Tonelli



Town of Montague

SPECIAL ARTICLE REQUEST – CAPITAL EXPENSE

FY 23

This form is intended for use with capital article submissions ≥ \$25,000 with a lifespan of 5+ years. For major building projects, please consult the Town Administrator.

Please complete this form in its entirety! Initial Submission due November 1

Department: Gill-Montague RSD Submitted by: Joanne Blier for School Committee

Item/Project Cost: \$315,000 Date Prepared: 12/7/21

Item/Project Title: Hillcrest Floors

Check here if this request is for FY22 Special Town Meeting

Proposed Article Wording:

To see if the town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$315,000 or any other amount for the purpose of Asbestos floor remediation and replacement and classroom encapsulation by carpeting, or pass any vote or votes in relation thereto. Project management \$4,300 Abatement \$136,900 Floor replacement \$109,450 Carpeting \$3,000 per room x 13= \$39,000 Plus 8.5% contingency on entire cost

Detailed Description for Background Materials: (Provide a full description of the item or service. Use attachments as needed.)

The main traffic areas (12,150 square feet) of the Hillcrest Elementary School should be remediated and floor tiles replaced by a seamless floor. Several areas of the hallway are chipping and have recently been removed and holes filled with epoxy. Most hallways and main traffic areas have tiles that are broken in numerous spots, and are only being held together under years' worth of floor wax. All asbestos tiles in main traffic areas need to be removed. The mastic holding these tiles down also needs to be abated, as well as the (suspected) sub-layer of floor leveler that is nearly identical to the Buckland-Shelburne Elementary school (same design and age as Hillcrest and had 2-3 inches of asbestos sub-layer under the tiles). Seamless flooring should be installed throughout the main traffic areas for durability. Carpet should be installed in all classrooms to prevent breakage of tiles and create a barrier between students, staff and visitors and the asbestos flooring. Two classrooms were abated in 2021.

Enter response

Have you received an estimate as a basis for cost? (yes/no) Yes

If yes, please attach estimate

Are grant or other funds available to offset cost? (yes/no) No

Please specify grant program/source of funds

Value of the offset \$

Probability of availability %

Is there a lease option for this expense? (yes/no)

No

If yes, what is max years:

Is payment schedule known (yes/no; attach plan):

Will this item or project replace old equipment? (yes/no)

Yes
\$0

If replacement, estimate surplus value:

Will it create other ongoing costs or savings? (yes/no)

No
\$ + / -
\$ +/-

Operational cost impacts (if no, "0")

Equipment or material cost impacts (if no, "0")

Why is it essential that the Town makes this purchase in the coming fiscal year?

Hillcrest asbestos floors are deteriorating and could be a potential health and safety hazard. Several classrooms were abated in 2021, and several more were discovered to have loose tiles. Several areas of the hallway are also chipping and have recently been removed and holes filled with epoxy. Most hallways and main traffic areas have tiles that are broken in numerous spots, and are only being held together under years' worth of floor wax.

Relative Priority

Your assessment of the how important this is to the Town at the present time.

Critical Importance



Highly Important



Moderately Important



If you are submitting more than one project, how does this rate relative to the others you are submitting?

First



Second



Third



Fourth or Lower



Comments on relative priority:



Final recommendation of Capital Improvements Committee:

Support

Not Support

Comments on Recommendation:



Town of Montague

SPECIAL ARTICLE REQUEST – CAPITAL EXPENSE

This form is intended for use with capital article submissions ≥ \$25,000 with a lifespan of 5+ years. For major building projects, please consult the Town Administrator.

FY 22

✓ Check here if this request is for FY22 Winter Special Town Meeting

Department: DPW/WPCF Submitted by: Tom Bergeron/Chelsey Little

Item/Project Cost: \$250,000 project (\$202,000 request) Date Revised: February 2, 2022

Item/Project Title: Wastewater Collection System Engineering Study Grant Match

Proposed Article Wording:

Wastewater Collection System Engineering Study Grant Match
MOVED. That the Town vote to appropriate the sum of \$202,000 for the purpose of funding a comprehensive engineering assessment of the sources of Inflow & Infiltration (I&I) in the Millers Falls Collection System and the most efficient means to reducing Combined Sewer Overflow (CSO) events in the Turners Falls Collection System, including any and all incidental and related costs, said sum to be raised from XXXXX.

Detailed Description for Background Materials: (Provide a full description of the item or service. Use attachments as needed.)

The Town has strong indications that it will receive a MA Department of Environmental Protection Asset Management Grant this winter for a two-pronged sewer collection system improvement project/study with a total cost of \$250,000. The grant will cover 60% (\$150,000) of the cost, with the Town responsible for a \$100,000 share, which can be accomplished through a mix of cash (this proposed appropriation) and in-kind contributions. The \$150,000 grant is the maximum grant award amount.

The direct cost of engineering services to be performed on this project are \$202,000. The remaining portion of the Town’s commitment will be in the form of in-kind services from the DPW, and the WPCF Superintendent and Town Administrator. **The grant rules require that the Town appropriate the funds that are proposed to be spent on direct services (\$202,000) prior to award of the grant. The grant can then be used as an offset, reducing the need to spend that appropriation, leaving the Town with a net cost of \$52,000.**

The studies will provide recommended solutions for *pressing* issues in each system. For the Turners Falls collection system, where CSOs and I&I are of concern, it will develop two alternative approaches to reducing CSO events and the related issue of I&I. For the Millers Falls collection system, it will present detailed data relative to system failure points, with preliminary findings that may allow for immediate improvements to correct acute problems identified through the study, as well as a broader, system-level improvement plan. All plans will be developed to a 10% design level and will provide an expected cost.

Once studies are complete, notwithstanding possible immediate opportunities to correct acute and isolated problems, the Town will still need to commission full design plans for construction related to CSO remediation in Turners Falls and system level improvements in Millers Falls. DEP and EPA regulations require these issues to be addressed, with CSO's already the subject of an active consent order that requires immediate design planning as a step toward implementing improvements.

Commencement of the study is very timely as both projects rely on flow metering that should be performed in the spring months when the water table is high. The Town would not intend to proceed with the project until the grant is formally made, which is expected in late February or early November.

Enter response

Have you received an estimate as a basis for cost? (yes/no)

Yes, attached

- *If yes, please attach estimate*

Are grant or other funds available to offset cost? (yes/no)

Yes

Please specify grant program/source of funds

DEP Grant / in-kind match allowance

Value of the offset

\$150,000 / \$48k

Probability of availability

95%

Will this be a lease or a recurring expense? (yes/no)

no

If yes, over how many years:

If yes, will payment vary (yes/no; attach payment plan):

Will this item or project replace old equipment? (yes/no)

no

If replacement, estimate surplus value:

\$

Is this expected to require other investments? (yes/no)

Full engineering design and oversight cost for two major projects

Construction cost for two major public works projects

Yes. Final design and construction
\$ TBD
\$ TBD

Why is it essential that the Town makes this purchase in the coming fiscal year?

These longstanding issues jeopardize requirements of Montague's EPA and DEP permits for operation of a wastewater collection and treatment system. Failure to attend to them in the near term may result in agency fines, as well as potential sewer flow overage charges from the Town of Erving, into which the Millers Falls collection system flows.

Relative Priority

Overall priority of this item or project to the Town

Critical	High	Moderate	Low
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

If you are submitting more than one project, how does this rate relative to the others

First	Second	Third	Fourth or Lower
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments on relative priority:

This is the work we must to do in order to move forward toward compliance. The Town must have a functional and permit compliant wastewater collection system.

Final recommendation of Capital Improvements Committee:

Support

Not Support

Comments on Recommendation:



Town of Montague

SPECIAL ARTICLE REQUEST – CAPITAL EXPENSE

This form is intended for use with capital article submissions ≥ \$25,000 with a lifespan of 5+ years. For major building projects, please consult the Town Administrator.

FY 22

✓ Check here if this request is for FY22 Winter Special Town Meeting

Department: Town Administrator/Planning Submitted by: Steven Ellis

Item/Project Cost: \$365,640 project (\$66,481 request) Date Prepared: January 31, 2022

Item/Project Title: Montague City Road Flooding Relief – Bid Contingency

Proposed Article Wording:

Montague City Road Flooding (Town Administrator Request)

MOVED: That the Town vote to appropriate the sum of \$66,481 for the purpose of making improvements to reduce flooding and related issues on and along Montague City Road, including any and all incidental and related costs, said sum to be raised from XXXXX.

Detailed Description for Background Materials: (Provide a full description of the item or service. Use attachments as needed.)

The Montague City Road Flooding Relief Project combines nature-based solutions and traditional stormwater engineering to address the routine flooding of a main thoroughfare in the Town of Montague. The 1,150-foot section of Montague City Road regularly floods after moderate rainfall due to an undersized drainage channel that runs parallel to the flat roadway. The Montague City Road Flooding Relief Project was identified as a priority in Montague’s Municipal Vulnerability Plan (MVP) Resiliency Plan because of the roadway’s status as an emergency evacuation route.

The Montague City Road Flooding Relief Project is engineered to accommodate a 100-year flood event through restoration of the floodplain and wetlands surrounding the channel with a backstop of additional catch basins at the shoulder of the roadway to accommodate extreme precipitation events. The project is fully designed and permitted and has a matching grant of \$237,287 from the FEMA Pre-Disaster Mitigation Grant as well as a Town appropriation (10.16.21 Special Town Meeting) of \$135,000. This totals \$372,287, approximately \$6,647 over the expected project cost as it was designed in 2019.

This request would establish “bid contingency” of 20% for the project, bids for which are expected in early March, possibly before the March 3, 2022 STM. Many, but not all, bids have come in higher than expected over the past several months and the trend is expected to continue in the immediate term. Bid contingency of 20% on a project estimated at \$365,640 would be \$73,126. The requested \$66,481 reflects the 20% bid contingency figure, less the \$6,647 currently in hand that is over and above the expected project cost.

This appropriation is timely because the terms of the FEMA grant require the work be completed by the end of the 2022 construction season, which will require the project to be bid this winter. This project may also be American Rescue and Recovery Act (ARPA)-eligible and the Selectboard may in the future have the ability to deploy a portion of that grant funding in lieu of spending against this article, or be able to supplement this funding in the event bids exceed the available funds described above. If bids are in prior to the March STM and require nothing or less than the amount requested, the article would be amended on Town Meeting floor.

Additional Project Detail

The current drainage configuration includes a man-made channel which runs alongside Montague City Road for a half mile, with a mean high-water level roughly equal to the roadway elevation for a ¼ mile stretch. The undersized drainage channel is blocked with silt and the community regularly endures flooding following heavy rain. Vehicles regularly get marooned if they knowingly or unknowingly enter the flooded roadway. Up to four residences with driveways at Montague City Road become trapped during floods and are effectively unable to receive emergency services during that time. There is a cost to the municipality associated with the routine road closures. The Town’s engineers have cautioned that regular flooding and the high-water table will eventually destroy the roadbed if action is not taken.

Using observations and projections from the Resilient MA Climate Change Clearinghouse, the Town of Montague has projected that by the year 2050 precipitation in Franklin County will increase by between 3 and 4 inches annually. Because Montague City Road floods with precipitation events of 1” or more the Town anticipates 7-8 more annual flooding events in the future in addition to the 3-6 annual flooding events that currently occur.

Enter response

Have you received an estimate as a basis for cost? (yes/no)

Yes

- *If yes, please attach estimate*

Are grant or other funds available to offset cost? (yes/no)

Yes

Please specify grant program/source of funds	FEMA Pre-Disaster Funds and a Previous Appropriation
Value of the offset	see above
Probability of availability	100%

Will this be a lease or a recurring expense? (yes/no)

If yes, over how many years:

If yes, will payment vary (yes/no; attach payment plan):

Will this item or project replace old equipment? (yes/no)

If replacement, estimate surplus value: \$

Is this expected to require other investments? (yes/no)

Increased(+) /decreased(-) operational cost (if no, "0") \$ + / -

Increased(+) /decreased(-) equipment or material cost (if no, "0") \$

Why is it essential that the Town makes this purchase in the coming fiscal year?

This has been an ongoing public safety hazard as described above. Further, the project leverages a \$237,287 FEMA grant that will expire after the coming construction season.

Relative Priority

Overall priority of this item or project to the Town

Critical	High	Moderate	Low
<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

If you are submitting more than one project, how does this rate relative to the others

First	Second	Third	Fourth or Lower
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments on relative priority:

N/A