

MONTAGUE SELECTBOARD MEETING
In-Person at 1 Avenue A, Turners Falls and VIA ZOOM
Monday, December 18, 2023 at 6:00 PM

Meeting was opened at 6:00 PM. Present were Selectboard members Rich Kuklewicz, Chris Boutwell, and Matt Lord; Assistant Town Administrator Walter Ramsey; Executive Assistant Wendy Bogusz; Administrative Assistant Angie Amadon; Town Counsel Greg Corbo; Police Chief Chris Williams; Sergeant John Dempsey; DPW Superintendent Tom Bergeron; and DPW CSO Lead Operator Kyle Bessette.

Selectboard Chair opens the Selectboard meeting, including announcing that the meeting is being recorded and roll call taken

Approve Minutes of December 11, 2023

Postponed until next time

Public Comment Period: Individuals will be limited to two (2) minutes each and the Selectboard will strictly adhere to time allotted for public comment

None

Dog Complaint Hearing, Jonnie Arabia and Brianna Snyder, 20 K Street, Turners Falls
Investigation of Nuisance or Dangerous Dog as those terms are defined in said statute

- Kuklewicz reads aloud the Dog Hearing.
- *Boutwell makes the motion to open the Dog Hearing. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*
- Corbo explains process of Dog Hearing.
- Corbo swears in the individuals who are to give testimony.
- Dempsey summarizes his investigation on November 16 regarding a dog bite incident in which a resident and her small dog, Charlie, were attacked by Tyson, a pit bull. The small dog has since been euthanized due to the severity of its injuries.
- Franklin County Animal Control Officer Judie Garceau summarizes her report regarding the dog bite incident.
- Tyson was not registered at the time of the attack, and his rabies shot had expired in July.
- Resident Denise Bouchard, the victim and owner of the dog that was killed, shared her experience.
- Resident Bonnie Sokoloski, a witness to the incident shared what she saw.
- Resident Brianna Snyder, the owner of Tyson, states that the dog is in the process of being trained and is improving behaviorally. He has received all of his shots. He will be sent into a boarding camp after the New Year to have him receive proper training. Snyder also intends to have him neutered.
- Snyder has reinforced the gate and fence through which Tyson had escaped. She states that when she is not at the residence, the dog is usually kept in a cage.
- Resident Austin Demers, Snyder's boyfriend, shares that he helps take care of Tyson after work. He had secured Tyson after the attack, but had not seen the actual attack. He describes the leash that they use. He states that he is willing to walk Tyson with a muzzle if necessary and will participate in the training.
- Holly Bartolon, Tyson's previous owner, shared her history with Tyson. She states that Tyson was always treated like another child, that he grew up with other children, and that there have never been any issues or incidences.
- A resident, Laurie Callahan, shares her experience with previous attacks by another dog. She asks that if things are agreed upon today, that they are enforced.
- *Boutwell makes the motion to determine that Tyson is a Dangerous Dog. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*
- Corbo reads aloud the following order as determined by the Selectboard:
 - 1) The dog shall not be outside unless it is leashed and supervised by an adult.
 - 2) If the dog is off the property, the dog shall be muzzled and held by a leash system described by the owner, held by an adult capable of restraining the dog, the leash having a strength of at least 300 lbs. and not exceeding three feet in length.
 - 3) When the dog is on the property, it shall be within the fence and shall be on a leash held by an adult. The leash must still be of 300 lbs. in strength, but may be longer, up to 10-12 feet, as long as it is held by an adult.

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- 4) The owner will provide proof of insurance in an amount not less than \$100,000 insuring the owner gets any claim loss, damage, or injury resulting from attacks by the dog or proof that reasonable efforts were made to obtain such insurance and they were unable to do so.
 - 5) The owner will provide the Animal Control Officer with microchip information to identify the dog in the future.
 - 6) The owner will have the dog neutered within 90 days.
 - 7) The Board agrees that it will reconsider this finding and order on written request of the owner, and having demonstrated that the dog has undergone training.
- *Boutwell makes the motion to issue the order as discussed and read by Counsel. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*
 - *Kuklewicz declares the public hearing closed.*

Personnel Board with Chris Williams, Police Chief

- **Retirement of Sergeant John Dempsey effective 12/31/2023**
- *Boutwell makes the motion to accept and approve with regret the retirement of Sergeant John Dempsey effective 12/31/2023. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*
- **Appoint John Dempsey as Reserve Officer effective January 15, 2024**
Boutwell makes the motion to appoint John Dempsey as a Reserve Officer effective January 15, 2024. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye
- **Proposal to change wage rate for On-Call Reserve Officers**
Boutwell makes the motion to change the wage rate for On-Call Reserve Officers. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye

Personnel Board with Dept of Public Works

Proposal to add a Collection System Laborer position in FY25 Budget

- Bessette and Rebekah Novak from ARCAP Solutions make a presentation of the proposal to add a Collection System Laborer position in the FY25 Budget.
- Kuklewicz comments on the possible positive outcome of a reduction in overtime hours on Friday and how that could partially offset the cost of a new position.
- In response to a question by Lord, Bergeron states that there would be differences in the job descriptions of the Truck Driver/Laborer and the CSO/ Truck Driver/Laborer.
- Bergeron will work with Ellis and Ramsey to provide a formal job description of the Collection System Laborer position for the Selectboard.

Personnel Board

Appoint Ryne Hager to Cable Advisory Committee until 6/30/24, effective 12/19/23

Boutwell makes the motion to appoint Ryne Hager to the Cable Advisory Committee until 6/30/24, effective 12/19/23. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye

Vote to affirm intention to appoint Walter Ramsey as Town Administrator upon departure of Steve Ellis

Boutwell makes the motion to approve the promotion of Walter Ramsey to Town Administrator upon the departure of Steve Ellis, and authorize the Chair to meet with Ramsey and Ellis at an appropriate time to discuss contract and salary. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye

Town Administrator/Assistant Town Administrator transition plan

- Ramsey discusses a proposal to hire a new Assistant Town Administrator around June 17, which would provide a couple of weeks of overlap.
- Hiring a new ATA around June 17 would allow the Pay & Classification Study to work its way through the process. They are going to be providing a new updated job description for the ATA.
- The Board would need to create a hiring committee. Ramsey makes some recommendations as to who the committee should consist of (i.e., Ellis, Ramsey, Bogusz, at least two department heads, a Selectboard member, a CIC member, and a resident from the community).

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- Ramsey gives the necessary timeline in order to hire a new ATA by June 17: receiving the updated job description by mid-February, appointing the Hiring Committee around February 26 and having them convene in early March, interviewing candidates in April, and then officially hiring the new ATA in May.
- Ramsey discusses the combined expenses during the transition (including \$2,000/week cost during the two-week overlap, other FY24 budget impacts, and Ellis's buyback of vacation time), which totals approximately \$22,600. This should be covered in a Special Article request.
- Ramsey states that for the FY25 budget, there is a line item for a technical consulting service that would allow the TA to have access to Ellis as a resource as needed.
- During the transition, Ramsey will be taking lead on emerging tasks and projects that are coming on that are going to take multiple years: Cable Relicensing process, Sewer Agreement with Erving, FY25 budget cycle, involvement in the hiring process of the ATA, acquisition of the Farren properties and the redevelopment process, and the Library MBLC Program.
- Ellis will see to the completion of the following tasks: Pay and Classification Study, development of Personnel Bylaws, transfer the collection system compliance administration to the DPW, FERC erosion lobbying, and STRPB.
- The new ATA will be taking on ongoing planning and execution of capital projects: Streetscape Improvements Grant, the Avenue A CSO Reduction Project, Strathmore Demo Design, Screw Pump Replacement, Bridge Projects, and tech support for department heads.

Executive Assistant Business

Approve 2024 Annual Permit Applications and Licenses as set forth in the attached listing

Lord makes the motion to approve the following:

2024 Liquor Licenses for:

- *Brewery/Wintery Pouring Permit - Seating Under 50 for Brick & Father Brewery, Inc.; Element Brewing Company dba Element Brewing Co., LLC; and Pioneer Valley Brewery, LLC*
- *Club, All Alcohol for Millers Falls Rod & Gun Club, Inc.; Montague Bop Elks Lodge 2521; St. Kazimierz Society dba St. Kazimierz Society; St. Stanislaus B and M Society, Inc.; and Turners Falls Rod and Gun Club, Inc.*
- *General On Premises - Wines & Malt for Sow Loud, LLC dba The Upper Bend*
- *All Alcohol Package Store for Bryan Call dba Crestview Liquors; Slow Village Ahead dba Montague Village Store; Purple Meadow Ventures, Inc. dba Connecticut River Liquor & Wine; and Om Shiv Shambhu, Inc. dba Carrolls Market*
- *Wine and Malt Package Store for Crooked River Corp. dba Food City; and Pub General*
- *All Alcohol Restaurant for Between the Uprights LLV dba Between the Uprights at 2nd St; Crystal Spring Investments, LLC dba Millers Pub; Pamela Tierney dba Black Cow Burger; Hole Pie, Inc., dba Harvey's; Rocket Science, LLC dba The Rendezvous; Secondhand Smoke, Inc., dba North Village Smokehouse; Shea Theater Arts Center; and Thomas Memorial Gold & Country Club*
- *Wines and Malt Restaurant for CVB Harvest LLC dba Great Falls Harvest; Lady Killigrew Café, Inc. dba Lady Killigrew Café; and Shady Glen, Inc. dba Shady Glen*

2024 Miscellaneous Licenses - (with Liquor Licenses) for:

- *Automatic Amusement for Between the Uprights, LLC dba Between the Uprights at 2nd St.; Millers Pub; Rocket Science, LLC dba The Rendezvous; Millers Falls Rod & Gun Club, Inc.; Montague BPO Elks #2521; St. Kazimierz Society; St. Stanislaus B and M Society, Inc.; and Pioneer Valley Brewery*
- *Entertainment for Between the Uprights, LLC dba Between the Uprights at 2nd St.; Great Falls Harvest; Element Brewing Company; Millers Falls Rod & Gun Club, Inc.; Millers Pub; Montague Elks #2521; Pioneer Valley Brewery, LLC; Rocket Science, LLC dba The Rendezvous; St. Kazimierz Society; Secondhand Smoke, Inc. dba North Village Smokehouse; Shea Theater Arts Center, Inc.; St. Stanislaus B and M Society, Inc.; Thomas Memorial Golf & Country Club, Inc.; and Turners Falls Rod & Gun Club*
- *Common Victualler for Black Cow Burger; Crystal Spring Investments, LLC dba Milles Pub; CVB Harvest LLC dba Great Falls Harvest; Element Brewing Company; Hole Pie, Inc. dba Harvey's; Lady Killigrew Café, Inc. dba Lady Killigrew Café, Inc.; Millers Falls Rod & Gun Club Inc.; Montague BPO Elks Lodge #2521; Rocket Science, LLC dba The Rendezvous; St. Kazimierz Society dba St. Kazimierz Society; Secondhand Smoke, Inc. dba North Village Smokehouse; Shady Glen, Inc. dba Shady Glen, Inc.; Sow Loud, LLC dba The Upper Bend;*

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St. Stanislaus B and M Society, Inc.; Thomas Memorial Golf & Country Club - Dining Room; Thomas Memorial Golf & Country Club - Clubhouse; and Turners Falls Rod & Gun Club, Inc.

Miscellaneous - (Not related to Liquor Licenses) for:

- Lodging House for F. C. Housing Authority
- Class II - Used Cars for Bob's Auto; Koch's Auto Sales; Mark's Auto at 366 Federal St., Montague; Mark's Auto at 484 Federal St., Montague; Montague Garage (Gregory Precourt); Rau's Sunoco; Semaski General Contractor & Equipment Sales; Zak's Auto Sales and Repair
- Class III - Junk for Bob's Auto and Rau's Sunoco
- Entertainment for Montague Book Mill
- Common Victuallers for Ce Ce's Chinese Restaurant; Country Creemee; Scotty's, TF F. L. Roberts dba NEC OPCO I, Inc.; Subway dba CK Sandwiches; and Turners Falls Pizza

Seconded by Kuklewicz, unanimously approved. Lord - Aye, Kuklewicz - Aye, Boutwell - Aye

Executive Assistant Business (continued)

Request by Mark Wisnewski, from the Rendezvous to remain open until 2:00 AM on New Year's Eve

Boutwell makes the motion to approve any holder of a Section 12 On Premise Alcohol License to remain open until 2:00 AM on New Year's Eve, but such request must be received at the Selectboard's Office by December 28 at 12:00 noon. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye

Set Winter Special Town Meeting Date (Thursday, March 14, 2024)

Boutwell makes the motion to set Special Town Meeting as Thursday, March 14, 2024; Articles must be submitted by February 8 at 4:00 p.m. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye

Discuss upcoming Selectboard meeting dates

- The next Selectboard meeting was changed from January 8 to January 9, 2024
- It does not look like a January 2 meeting is necessary.

Assistant Town Administrator's Business

Vote to consider advancing the Six Town Regionalization Planning Board Study

Boutwell makes the motion to inform the STRPB that the Selectboard approves their moving forward on the study. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye

Mass School Building Authority Update - Sheffield Elementary School not accepted into 2023 Statement of Interest process

We received word from the School District that Sheffield Elementary School did not get accepted into the 2023 MSBA Program for the construction of the new elementary school. They do intend to apply next year.

Topics not anticipated in the 24 hour posting requirements/Fear Share funds

We received word from our legislators that the Town will receive some additional funds in the amount of \$292,451 from the FY25 Fair Share Amendment that is coming by way of Chapter 90 funds for road improvements.

Boutwell makes the motion to adjourn the meeting at 8:30 PM. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye