

**MONTAGUE SELECTBOARD MEETING**  
**1 Avenue A, Turners Falls and VIA ZOOM**  
**Monday, July 8, 2024 at 6:30 PM**

Meeting was opened at 6:30 PM. Present were Selectboard members Rich Kuklewicz, Matt Lord, and Chris Boutwell; Town Administrator Walter Ramsey; Executive Assistant Wendy Bogusz; Assistant Town Administrator Chris Nolan-Zeller; CWF Superintendent Chelsey Little; FCHRA Director of Community Development Brian McHugh; and Board of Health Director Ryan Paxton.

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

**Approve Minutes: Selectboard Meeting June 24, 2024**

*Boutwell makes the motion to approve the minutes of June 24, 2024 as presented. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*

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

In response to a question by business property owner John McNamara, Ramsey states that we don't have a status update as to what ARPA funds are unencumbered versus what aren't; but we are waiting for a cost estimate from Berkshire Design regarding the proposal for the ramp access.

**Jon Dobosz, Parks and Recreation Director**

**Execute Construction Contract with Mountainview Landscapes and Lawncare, Inc. for the Montague Center Playground Reconstruction Project. Contract sum of \$265,150.00 to be funded by PARC Grant and Town Special Article appropriation**

*Boutwell makes the motion to execute the Construction Contract with Mountainview Landscapes and Lawncare, Inc. for the Montague Center Playground Reconstruction Project; contract sum of \$265,150.00 to be funded by PARC Grant and Town Special Article appropriation; contract sum of \$265,150.00 to be funded by PARC Grant and Town Special Article appropriation. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*

**Brian McHugh, Director of Community Development - Franklin County Housing and Redevelopment Authority**

- **Authorize Payment in the amount of \$51,850 to Clayton D. Davenport Trucking for work complete to date on the Hillcrest Neighborhood Playground Project**

*Boutwell makes the motion to authorize payment in the amount of \$51,850 to Clayton D. Davenport Trucking for work complete to date on the Hillcrest Neighborhood Playground Project. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*

- **Two Change Orders for Hillcrest Neighborhood Park: CO#1 - No Cost Change removing playground installation credit. CO#2 - Removal and Installation of new catch basin**

*Boutwell makes the motion to authorize Change Order #1 and Change Order #2 as discussed and authorize the Chair to sign them. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*

- **Hillcrest Neighborhood Playground: Next steps and project management discussion**

- McHugh expresses his concern that the Selectboard meeting schedule during the summer affects decisions that need to be made quickly on projects.
- Lord feels that it makes sense to delineate a scope of authority to McHugh to be able to get things moving.
- Kuklewicz feels that for time-sensitive issues, McHugh should consult with Ramsey, then come to the Board for signature and affirmation of the decision.
- Ramsey supports McHugh's request.

**Ted Harvey, Franklin Regional Council of Governments**

**Announce Broadband Equity Access & Development Challenge (internet census)**

Harvey reviews the Broadband Equity Access & Development Challenge Process (BEAD Timeline, Massachusetts Challenge Portal, Who Should Submit a Challenge, Affordability, BEAD Portal, Contact information).

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**Personnel Board**

- **Appoint Abigail Moore as Extra Clerical/Election Worker for the Town Clerk's Office, 15-25 hours per week (as determined by election schedule), \$17.75/hour with start date of August 19, 2024 to approximately January 31, 2025**  
*Boutwell makes the motion to appoint Abigail Moore as a Extra Clerical/Election Worker for the Town Clerk's Office, 15-25 hours per week (as determined by election schedule), \$17.75/hour with start date of August 19, 2024 to approximately January 31, 2025. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*
- **Appoint Andrew Skiff as Laborer/Operator for CWF, Grade B, Step 4, \$21.37/hour effective July 9, 2024**  
*Boutwell makes the motion to appoint Andrew Skiff as a Laborer/Operator for CWF, Grade B, Step 4, \$21.37/hour effective July 9, 2024. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*
- **Change Status for Adam Kleeburg from CWF Lead Operator (Grade E, Step 4, \$27.06/hour) to CWF Wastewater Technician, Grade D, Step 6 at \$26.35/hour effective July 9, 2024**  
*Boutwell makes the motion to approve the Change Status for Adam Kleeburg from CWF Lead Operator (Grade E, Step 4, \$27.06/hour) to CWF Wastewater Technician, Grade D, Step 6 at \$26.35/hour effective July 9, 2024. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*
- **Promote Samuel Stevens from CWF Wastewater Technician (Grade D, Step 3, \$24.45/hour) to CSF Lead Operator (Grade E, Step 3 at \$26.41/hour) effective July 9, 2024**  
*Boutwell makes the motion to promote Samuel Stevens from CWF Wastewater Technician (Grade D, Step 3, \$24.45/hour) to CSF Lead Operator (Grade E, Step 3 at \$26.41/hour) effective July 9, 2024. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*
- **Parental Leave Request: Stephen Orloske is requesting to take 8 weeks of unpaid parental leave from 8/5 through 9/27, 2024. Stephen would be responsible for paying for his health insurance while he is on leave**
- *Boutwell makes the motion to approve the Parental Leave Request by Stephen Orloske, who is requesting to take 8 weeks of unpaid parental leave from 8/5 through 9/27, 2024; Stephen would be responsible for paying for his health insurance while he is on leave. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*
- **Cell Phone Stipend, Chris Nolan-Zeller, \$5.77/week**  
*Boutwell makes the motion to approve the Cell Phone Stipend for Chris Nolan-Zeller, \$5.77/week. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*
- **Execute Employment Contract with Samuel Urkiel, Department of Public Works Superintendent, Grade H, Step 6 (\$96,751). Contract through June 30, 2027**  
*Boutwell makes the motion to execute the Employment Contract with Samuel Urkiel, Department of Public Works Superintendent, Grade H, Step 6 (\$96,751); contract through June 30, 2027. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*

**Follow-Up Discussion on Cannabis Odor Complaints, Flower Power Growers, Inc. - 180 Industrial Boulevard**

- **Review of complaints and response**
  - According to Ezra Hagerty:
    - They have been working on a communication response plan.
    - Sharing the issues in real time would help them with specificity.
    - They have been engaged in a full technical review of all of their equipment to see if there are upgrades that can be made given the recent observations.
    - Some of the internal changes made so far include (1) improving dehumidification to improve the efficacy of the carbon filters, and (2) considering adding additional nozzles along the fans to diminish ECOSORB emissions.
  - Paxton summarizes his activities since the Selectboard meeting on the 24th:
    - He toured the facility on the 26th with Hagerty and John Stobierski to see if he could find the source(s) of the odor. He states it is difficult to perceive the odor at the facility as opposed to outside on Industrial Boulevard.
    - Notifications/Complaints were received from JaDuke on the 28th at 10:56 a.m., from JaDuke on the 1st at 10:00 a.m., from a camp resident on the 5th at 4:45 p.m., and from JaDuke at

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8:46 a.m. today. Paxton sent these complaints to Flower Power and is documenting his findings.

- Nick Waynelovich from JaDuke contributes the following:
  - A review of some history, including the fact that he was against having the facility from the start.
  - One of his employees shared that (1) the smell seems to be getting better, but (2) when it's bad, it's really bad.
  - Two years ago at a previous meeting, there was a special permit given that stated that there would be no smell. Now, two years later, discussions are ensuing regarding "masking the smell."
  - His daughter, Kim, who couldn't be at the meeting tonight, wants him to ask the following question: "If the smell does not abate, what is the process of the Board and the Health and the Town to enforce the special permit?"
  - The children at JaDuke can't be taken outside because of the smell.
- In response to a comment by Waynelovich about the assurance made at the beginning that there would be no odor, Stobierski states that Flower Power did disclose that there would be occasions when there would be odor. A report had been submitted to the Board of Selectmen that the system was 98% effective, and that 2% of the time, there could be some odor.
- **Protocols and expectations moving forward**
  - Ramsey is consulting with the Planning Department regarding how the special permit can be enforced. The Board of Health and the Town need to determine what constitutes as a "nuisance."
  - Ramsey discusses a complaint response protocol and shares that there is currently a draft being worked on. Action would be triggered by the BOH's definition of a "nuisance."
  - Kuklewicz states that we were assured early on in the process that the odor would be contained or eliminated. He is pleased that there are positive steps going forward to help that, but there also needs to be some plan as to how long is too long to see the plan become actually effective. He does not know what that time frame is.
  - Ramsey discusses having an independent third party investigate the odor control and make sure the best practices are being followed. Ramsey will look into that.
  - Kuklewicz suggests that Ramsey, Paxton, and Town Planner Maureen Pollock internally meet; and then meet with Hagerty and Stobierski to talk about a game plan. Mitigation and other resources should be addressed. We will meet again to discuss this issue on the 22nd.
  - Stobierski states that he believes the technical review that is being done is going to have some recommendations to further address the issues. He believes the issues will be addressed to the best of their ability and would like to do so before a third party is consulted.
  - The Board will review the special permit.
  - The Zoning Enforcement Officer/Building Inspector will be brought into these conversations.

**Town Administrator's Business**

- **Strategy to Comply with Cannabis Control Commission equity retirement**

Nolan-Zeller states that on the meeting at the 22nd, he will be presenting a strategy for coming into compliance with the Cannabis Control Commission's new equity procedures. In regard to the social equity standards and mandatory transparent practices, the CCC gives municipalities three different options. Ramsey and Nolan-Zeller came to the unanimous decision that the most mutually beneficial option that they would recommend approving is creating a one-to-one local approval process where a general applicant can only be approved after a social equity business has begun operations.
- **Updates on new Casella Trash Collection Contract effective 7/1/2024**

Casella started last week. Everything went well.
- **Planning for Strathmore Brownfields Grant Award Event 7/18, 10:00 AM at Great Falls Discovery Center. Next steps in project**

The Board is formally invited to the Strathmore Brownfields Grant Award Event 7/18, 10:00 AM at Great Falls Discovery Center. Several State and Federal politicians will be present.
- **Topics not anticipated within 48 hour posting**

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Kuklewicz will not be available in-person for the meeting on August 5th. The meeting on August 19th will be in-person.

**Next Meeting:**

**Selectboard, Monday, July 22, 2024 at 6:30 PM, via ZOOM**

*Boutwell makes the motion to adjourn at 7:56 PM. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*