

**MONTAGUE SELECTBOARD MEETING  
1 Avenue A, Turners Falls and VIA ZOOM  
Monday, August 19, 2024 at 6:00 PM**

Meeting was opened at 6:00 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; Board of Health Director Ryan Paxton; FCRHA Director of Community Development Brian McHugh; Gill-Montague Council on Aging Director Roberta Potter; and Town Planner Maureen Pollock.

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

**Approve Minutes: Selectboard Meeting August 5, 2024**

*Boutwell makes the motion to approve the minutes of August 5, 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**

- Resident/Business owner John McNamara discusses the fact that there are trees downtown that have not been pruned.
- Kuklewicz asks Ramsey to contact Sam at the Franklin County Technical School to see if this can be fit into their curriculum.

**Brian McHugh, Director of Community Development**

- **Request payment #3 to Clayton Davenport Trucking for the Hillcrest Neighborhood Playground Construction Project: \$65,188.50**

*Boutwell makes the motion to authorize payment #3 to Clayton Davenport Trucking for the Hillcrest Neighborhood Playground Construction Project: \$65,188.50. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*

- **Consider Change Order #3 to furnish and install jute mesh around playground: \$4,225.00**

*Boutwell makes the motion to authorize Change Order #3 to furnish and install jute mesh around playground: \$4,225.00. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*

**Rachel Stoler, FRCOG community Health Program Manager**

**Memorandum of Understanding between the Town of Montague and FRCOG for Mass in Motion FY2025**

*Boutwell makes the motion to authorize the Chair to sign the Memorandum of Understanding between the Town of Montague and FRCOG for Mass in Motion FY2025. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*

**Maureen Pollock, Town Planner**

- **Redeveloping the former Farren Care Center site, located at 330-340 Montague City Road - updates**
  - Pollock updates the Farren Care Center site situation and reviews the previously submitted recommendations from the Planning Department and the changes to the timeline.
  - The Planning Board and the Selectboard had recommended that the Town establish a working group to focus on redevelopment of the site and to hire a consultant to assist with rezoning of the parcel.
  - Pollock shares that she submitted a grant in June for providing technical assistance with possible zoning amendments. We should be finding out about that grant in September, and we hope to start contracting out in October or November.
  - Pollock provides a list of possible working group members: one from the Selectboard, one from the Planning Board, one from the EDIC, one from the Historic Commission, two from Montague City Village, and two from Montague-based organizations.
  - Pollock would like the working group to provide an opportunity for community engagement.
  - Pollock recommends that the Town have a civil engineer assess the infrastructure capacity of the site.
  - Pollock advocates that the Selectboard provide costs for the pre-development activity/due-diligence work.
  - Pollock discusses the remaining steps of the timeline: subdivide parcel, land disposition, RFP, MassWorks or HousingWorks, and Entitlement & Permitting.

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- Kuklewicz asks Pollock to provide proposals with regard to assessing the infrastructure so that the Selectboard can explore ways of funding it.
- Anyone interested in being in the working group can contact the Town Planner.
- **Shea Theater mural project updates**
  - The muralist, Darien Fleming used the information from the community listening session, the surveys, and the steering group to prepare mural design concepts and has shared them with the steering group.
  - The steering committee will choose one and Fleming will create a final design.
  - We hope to start the project in the last week of August.
  - RiverCulture will provide a tent and chairs if anyone would like to watch during the painting process.
  - After the mural is complete, we will have a ribbon-cutting ceremony.
  - The Selectboard agree that Pollock should talk to Common Wealth Murals to see whether it would make sense to do some public outreach prior to the actual painting.
- **Request Use of Public Land/Closure of the Shea Theater Parking Lot and 2nd Street Alley from Avenue A to back of Shea from 7:00 AM to 8:00 PM from Friday, August 23, 2024 to Thursday, September 12, 2024 to paint a mural on the Shea building wall**

*Boutwell makes the motion to authorize approve the Public Land/Closure of the Shea Theater Parking Lot and 2nd Street Alley from Avenue A to back of Shea from 7:00 AM to 8:00 PM from Friday, August 23, 2024 to Thursday, September 12, 2024 to paint a mural on the Shea building wall. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*

**Personnel Board**

- **Appoint Mary Sue Campbell, CWF Administrative Assistant, NAGE Grade B, Step 4, \$21.28/hr, 40 hrs/wk, effective 8/26/24**

*Boutwell makes the motion to appoint Mary Sue Campbell as the CWF Administrative Assistant, NAGE Grade B, Step 4, \$21.28/hr, 40 hrs/wk, effective 8/26/24. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*
- **Appoint Jordan Livingston, 911 Dispatcher, Per-diem, \$25.00/hr, effective 8/19/2024**

*Boutwell makes the motion to appoint Jordan Livingston as a 911 Dispatcher, per-diem, \$25.00/hr, effective 8/19/2024. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*
- **Appoint John Letourneau as Gas & Plumbing Inspector, 1 year, expires 6/30/2025**

*Boutwell makes the motion to appoint John Letourneau as the Gas & Plumbing Inspector, 1 year, expires 6/30/2025. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*
- **Resignation of Chris Sawyer-Laucanno from the Montague Historical Commission**

*Boutwell makes the motion to accept with regret the resignation of Chris Sawyer-Laucanno from the Montague Historical Commission. 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**

- Paxton shares that he presented his findings to the Board of Health that Flower Powers is not a nuisance at this time.
- Paxton shares that there have been 65 odor observations since March 26, 2024.
- The intermittent cannabis odor has not strengthened or weakened.
- Flower Power company founder Josh Goldman shares a presentation regarding an Odor Control System Evaluation.
- Flower Power CEO Ezra Hagerty states that addressing this situation is a big priority.
- Flower Power company founder John Stobierski shares that they have been making gradual improvements with areas of efficiency.
- In response to a request by Lord regarding the communication plan, Hagerty states that they have created a Google form where community members can submit observations. Typically, however, most of the observations are submitted via email.
- Kuklewicz hopes to keep track of the wind direction issue.
- In response to a question by resident Leena Newcomb, Stobierski explains that the "steam" coming out of the building is a neutralizing agent which bonds to the substance that causes the odor.

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- Newcomb comments on the fact that at first the residents were told that there would not be any odor. Lord suggests Flower Power refrain from responding for now.
- In response to a question by resident Cheryl Lively, Paxton states that there is not sufficient research that indicates that marijuana odor can affect people's health.
- JaDuke owner Kim Williams comments that infants are smelling marijuana all day long. She states that nothing has changed for months.
- JaDuke owner Nick Waynelovich reads aloud the owners' words from a document regarding what was promised at the beginning (at least 98.7% effectiveness in odor control). He asks who is going to keep the word of the document.
- Lord responds to Waynelovich's comment by stating that the promise in the document is not what is in the special permit. The Town's responsibility is to uphold what is in the special permit, which is to make sure that there is not a "nuisance," which has a very specific definition (not "no odor").
- Resident Ken Lively states that outside family gatherings at his camp may have to be moved to another location as his grandchildren don't like the odor.
- Newcomb comments that Flower Power is operating status quo, and JaDuke is not operating status quo.
- Williams asks that if we are still in the same position after 30 days, a strong change be made.
- Kuklewicz would like to know if it is feasible to monitor the odor in some scientific fashion.
- Kuklewicz asks that some work be done toward analyzing the data, perhaps correlating in a graph the dates, times of the day, and the wind direction.
- Lord is skeptical that the mitigation measures are ever going to meet the requests and standards of the abutters, and believes that at some point in time it is going to be incumbent on the Board to make some decision in terms of the direction that it is going to be acting.

**Executive Assistant's Business**

- **Response to 8/5 meeting hack, new Zoom protocols**
  - From now on, everyone will be muted. If they want to talk, they will need to raise their hand or be asked to unmute.
  - Bogusz will stop allowing people to share the screen.
  - Kuklewicz suggests putting in the notice that when someone comes to the meeting, they need to identify what their first and last names are and what their reason for being there is.
- **Town Meeting Day Survey results**

Bogusz shares the results of the survey. The Board agrees to try having the Town Meeting on the 9th and seeing how that goes.

**Assistant Town Administrator's Business**

- **Review and consideration of Digital Equity Implementation Grant Agreement with Massachusetts Technology Collaborative**

*Boutwell makes the motion to authorize the Assistant Town Administrator to execute the Digital Equity Implementation Grant, and authorize the Chair to sign it. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*
- **Authorize Contract of Services with Larochelle Construction Inc. for the Montague Center Library Scrape, Repair, Paint Window Trim project. Contract value is \$14,900.00, to be funded from an existing ARPA appropriation**

*Boutwell makes the motion to authorize the Contract of Services with Larochelle Construction Inc. for the Montague Center Library Scrape, Repair, Paint Window Trim project; contract value is \$14,900.00, to be funded from an existing ARPA appropriation. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*
- **Status update of capital projects under construction (including but not limited to COA siding, skatepark lighting, South Ferry Rd. culvert, Montague Center playground, Avenue A Streetscape)**
  - Larochelle wrapped up their final portions of the Senior Center siding today. The Franklin County Sheriff's Office will be completing the painting in the near future.
  - With regard to the skatepark lighting, two posts and the footings were installed last week. Curing is in place and this project should be wrapped up in a few weeks.

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- South Ferry Road closed today for work on the culvert. It should be closed likely through the fall into November.
- There are no updates for the Montague Center Playground. It is still planned for this fall.
- With regard to the Avenue A Streetscape, we are waiting on the granite planters. This is still scheduled for the fall and some work is going to be done in the spring. We are also waiting on the general contractor to provide estimates for the additional ADA ramp.
- Nolan-Zeller and Ramsey attended a kickoff meeting regarding the Strathmore Mill with Tighe and Bond this morning. The next steps include contacting FirstLight and Eagle Creek to discuss some of the specific needs and logistics.
- The IFP is out and bids are due on August 28 for the Carnegie Library Basement Rehabilitation. Two contractors appear very interested.
- With regard to the demolition of the Butler building and wooden shed behind Town Hall, we are soliciting quotes through September 3rd. We are planning to have an electrician cut the electricity to both of the buildings and to seal up the current interior wall connected to the storage shed before the demolition.
- The 11th Street Bridge repair is on the near horizon. We are waiting on specs from Weston and Sampson.
- **Other (not on agenda)**
  - Employee Appreciation Day is this Thursday. Some activities are planned.
  - Regarding the glyphosate issue that was brought up at the last meeting, Nolan-Zeller found some resources and sent them to the resident that had expressed concern.

**Town Administrator's Business**

- **Town and Mass Department of Environmental Protection response to Meadow Road culvert flooding and wetlands impacts from ongoing activity at Falls Farm**
  - The Mass Department of Environmental Protection has engaged in response to some of the erosion issues that is happening. They have issued an Administrative Consent Order that requires the property owner of Falls Farm to come into compliance and come up with a plan to stop the current violation.
  - The Town has also issued a Cease and Desist Order specifically relating to the impact to Town infrastructure (the culvert and Meadow Road).
  - The Town is also asking for compensation for the Town resources used as a result of the erosion.
  - Ramsey and Mass DEP have had a meeting with the owner, and Ramsey is satisfied that everyone is on the same page.
- **Planning for Fall Special Town Meeting**
  - Ramsey states that there is nothing pressing that needs to come up for a Fall Special Town Meeting,
  - Lord feels that it may be worth having the meeting as we have a new moderator and this would be a good developmental practice.
  - Boutwell asks about the cost to have a Special Town Meeting (mailings, legal, and janitorial).
  - The Selectboard decides to hold off on the meeting for now.
- **Topics not anticipated in the 48-hour posting**
  - **Work along the Bike Path**  
FirstLight will be doing some work on the embankment along the bike path. The bike path will be closed from 11th Street to Depot Street for a couple of months in this fall.
  - **Lake Pleasant 150th Celebration**  
Lake Pleasant is having their 150th Celebration this weekend and is encouraging everybody to go.

**Executive Session in accordance with G.L. c.30A, §21(a)(1) To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints of charges brought against a public officer, employee, staff member, or individual**

- The Chair deems that holding the discussion in open session would be detrimental to the Town's position.

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- *Boutwell makes the motion to go into Executive Session in accordance with G.L. c.30A, §21(a)(1) To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints of charges brought against a public officer, employee, staff member, or individual. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*

**Next Meeting:**

Selectboard, Monday, September 9, 2024 at 6:00 PM, 1 Avenue A, Turners Falls, MA and VIA ZOOM