

**SELECTMEN'S MEETING MINUTES
UPSTAIRS MEETING ROOM
1 AVENUE A, TURNERS FALLS, MA
MONDAY, JANUARY 14, 2013**

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Meeting was opened at 7:00 PM in the Upstairs Meeting Room. Present were Selectpersons, Mark Fairbrother, Chris Boutwell, Patricia Allen, participating remotely; Town Administrator, Frank Abbondanzio; Administrative Secretary, Wendy Bogusz; Chris Curtis, Recorder,

Meeting is being taped
Patricia Allen is participating remotely due to geographical distance

Approve minutes of November 26, December 3, 10, and 17, 2012 and January 7, 2013 if available, votes may be taken

Minutes not available

Personnel Board and Barbara Miller, Director of Assessing, votes may be taken

Appointment of Jessica St. Amand to the Assessing Technician Position, Grade3/Step 8

Fairbrother makes the motion to appoint Jessica St. Amand to the Assessing Technician position starting at grade 3, step 8 effective January 15, 2013. Seconded by Allen, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Request approval to post the Assessing Clerk Position

Fairbrother makes the motion to approve posting the Assessing Clerk Position in house first then advertise to the public. Seconded by Allen, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Request to Hire Douglas McIntosh, Part Time temporary employee as needed

Fairbrother makes the motion to authorize the hiring of Doug McIntosh as a part time temporary clerk in the Assessing Office on an as needed basis from January 15, 2013 to June 30, 2013 at Grade 2, Step 1 as funding is available. Seconded by Allen, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Personnel Board and Charles Dodge, Chief of Police, votes may be taken

Request Educational Incentive for Lee Laster

Fairbrother makes the motion to approve the educational incentive for Lee Laster effective July 1, 2012 because he has received an Associate's degree in a course directly related to his police career. Seconded by Allen, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Discussion about educational pay in the contract and new hires. It's in the Police contract but it is not Quinn, we need to establish our own local standards. We would want them to have a degree related to police work

When Chief Dodge has more information relating to Peter Lapachinski and Josh Hoffman he will be back before the Board if necessary.

George Moonlight Davis, Votes may be taken

Disclosure by Non-Elected Municipal Employee of Financial Interest and Determination by Appointing Authority as Required by G.L. c. 268A, § 19

Fairbrother makes the motion that as required by G.L. c. 268A, § 19, the Board has reviewed the particular matter and the financial interest identified above by a municipal employee. We have determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee in relation to George Moonlight Davis and his application. Seconded by Allen, approved. Allen – Aye, Boutwell – Aye, Fairbrother - Abstain

Walter Ramsey, Town Planner

Authorize Chair to Complete Signatory forms for the Town of Montague's Priority Development Site (PDS) Designation Package for the Turnpike Road Industrial Park

Fairbrother makes the motion that the grant the Town has previously applied for has been accepted, to authorize the Chair to sign the final forms and documents involved with accepting the Town of Montague's Priority Development

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Site (PDS) Designation Package for the Turnpike Road Industrial Park. Seconded by Allen, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Authorize a Memorandum of Agreement with the Mass. Development Finance Agency to Conduct Pre-development Planning Services for the Turnpike Road Energy Park

Fairbrother makes the motion that the Board sign the Memorandum of Agreement between the Town of Montague and the Mass. Development Finance Agency to Conduct Pre-development Planning Services for the Turnpike Road Energy Park. Seconded by Allen, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye

Frank Abbondanzio, Town Administrator, votes may be taken

Letter to Omar e-Malah, UE International Representative

Abbondanzio: I would like to read this letter into the record because I think at the last meeting when we had a grievance hearing from the UE Union, I felt the way some of the people came across at this meeting was not really respectful. The Board has a policy in place that employees need to be respectful to other employees and to the public and we expect the same thing back from the public. I wrote a letter to the head of the Union. Letter read into the record

Sustainable Materials Recovery Program Grant for Small Scale Initiatives

This is a signed agreement for the recycling bins we are getting using the DEP grant.

Open Meeting Law Seminar, January 17, 2013

This Open Meeting Law Seminar will be held on January 17, 2013 at the Public Safety Complex at 5:30 PM.

Dry Hill Road Update

Bergeron: The current situation hasn't changed from years back when we originally discovered this road was ours and went up through the Senn Property. Approximately 2 weeks after we talked to the Senn's about this road, I did stake it out and he did remove the fence and probably two weeks after that he took the stakes down, put the fence wires back up. The condition has been that way and has not changed as far as walking through the woods up the field where he has cattle. Back when I got estimates on building a road down through there it was about \$210,000 to do it properly. If we did it today, I'm assuming its probably \$50,000 or \$60,000 more because materials have climbed that much.

Allen: Is there currently a wire across where you should be able to walk through?

Bergeron: Yes there is, and it should not be there.

Abbondanzio: I don't think there is any question that this was a Town way, it was never abandoned, so that's not an issue. We did have a study done by Stantac Designers Landscape Architects back in 2007. At that time the cost came in so high we didn't proceed with the idea of building a road, but I think there was an alternative offer that you might want to think about the foot path for getting up there so people could at least get up there. The other issue is actually getting trucks up there to do maintenance on the cemetery. Someone has to be able to get up there at least periodically during the year to do the maintenance.

J. Reynolds thinks the stone walls should be rebuilt. This would be a question for the Conservation Commission whether or not it is a wetlands issue

Ramsey: It looks like the most viable option at this point is a gravel road or even a pedestrian path there. As a recreational resource it could be something as simple as a foot path through the woods, put up some signage and make a little parking area. This is something we can get grants from DCR to do possibly and it could be a ConCom job if they wanted to take it on as a recreational resource.

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Fairbrother: The two biggest items are there are at least one, probably 2 pasture wires right across the open; 2) on the other side of that are cattle. Citizens should be able to walk up there regardless if it is an approved surface or not without the fear of being run over by an angry cow. The first place to start is to try and get those wires down and redelineate the road however we think the options are best. Keep the cattle out of the right of way and get the wires down so if any of us wanted to walk up there tomorrow we could walk up there.

Discussion about survey stakes and whether or not they are still there

Reynolds: This does not resolve the issue of how do we maintain the cemetery.

Allen would like a letter sent to Mr. Senn telling him that come Spring we are going to ensure the area is opened up and if he would like to do something in the meantime on his own accord he should feel free to do so.

Fairbrother reports that not this past spring but the spring before, based on the evidence he saw on the ground, ie. tracks from a heavy large tracked vehicle, he's under the impression that someone from the Senn homestead did do some maintenance of the road that he uses.

Frank to draft letter for the Board to review, and thinks we should look into the State Recreation and Open Space Grant Program to see if something is fundable.

Topics not anticipated covered in the 48 hour posting requirement

Abbondanzio: I'm going to be looking for a Special Town Meeting the latter part of February.

Executive Session, under G.L. c.30A, §21(a)(3) to discuss strategy with respect to Litigation, Erving – Montague Sewer Agreement, votes may be taken

Fairbrother makes the motion to go into Executive Session at 7:58 PM, under G.L. c.30A, §21(a)(3) to discuss strategy with respect to Litigation, Erving – Montague Sewer Agreement, votes may be taken. Seconded by Allen, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother – Aye

Boutwell declares this could be detrimental to the Town that's why it is being held in Executive Session.

Allen makes the motion to adjourn the meeting at 8:15 PM. Seconded by Boutwell, approved unanimously. Allen – Aye, Boutwell – Aye, Fairbrother - Aye