

**SELECTMEN'S MEETING
UPSTAIRS MEETING ROOM
1 AVENUE A, TURNERS FALLS, MA
MONDAY, September 12, 2016**

Meeting was opened at 7:00 PM in the Upstairs Meeting Room. Present were Selectpersons Chris Boutwell, Mike Nelson (arrived at 7:05 PM) Rich Kuklewicz. Town Administrator Frank Abbondanzio and Executive Assistant Wendy Bogusz

Approve Selectmen minutes of August 22, 2016

Not available at this time

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

None

Dan Kramer, Element Brewing Company

Special 1 Day Beer & Wine License, Element Brewing, 16 Bridge Street, Millers Falls, October 1, 2016, 10:30 AM to 11:00 PM

Boutwell makes the motion to approve the request by Dan Kramer, Element Brewing Company, 16 Bridge Street, Millers Falls for a Special 1 Day Beer and Wine License on October 1, 2016 from 10:30 AM to 11:00 PM, insurance has been provided, pending approval by Chief of Police. Seconded by Kuklewicz, approved. Boutwell – Aye, Kuklewicz – Aye, Nelson (not present)

Jason Hunter, Berkshire Brewing Company

Special 1 Day Beer & Wine License, Shea Theater, 71 Avenue A, October 1, 2016 6:00 PM to 11:00 PM, Special 1 Day Beer & Wine License, Shea Theater, 71 Avenue A, October 28, 2016 6:00 PM to 11:00 PM, Special 1 Day Beer & Wine License, Shea Theater, 71 Avenue A, November 11, 2016 6:00 PM to 11:00 PM

Permit withdrawn, will be taken out by Linda Tardif, Shea Theater

Linda Tardif Special 1 Day Beer & Wine License, Shea Theater, 71 Avenue A, September 17, 23, 24, 30, 2016; 6:00 PM to 11:00 PM

Nelson makes the motion to approve the request for a Special 1 Day Beer & Wine License by the Shea Theater at 71 Avenue A, Linda Tardif, Manager, on September 17, 23, 24, 30, 2016 from 6:00 PM to 11:00 PM, insurance has been provided, pending approval by the Chief of Police. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Special 1 Day Beer & Wine License, Shea Theater, 71 Avenue A, October 1, 7, 8, 21, 22, 28, 29, 2016; 6:00 PM to 11:00 PM

Nelson makes the motion to approve the request for a Special 1 Day Beer & Wine License by the Shea Theater at 71 Avenue A, Linda Tardif, Manager, on October 1, 7, 8, 21, 22, 28, 29, 2016 from 6:00 PM to 11:00 PM, insurance has been provided, pending approval by the Chief of Police. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Bruce Hunter, Project Manager, FCRHRA, Authorization to Disburse No. 1, Invoice #0724087, Lake Pleasant Park Planning Project to GZA GeoEnvironmental Inc., \$7,250.10

Nelson makes the motion to approve the Authorization to Disburse No. 1, Invoice #0724087, Lake Pleasant Park Planning Project to GZA GeoEnvironmental Inc., \$7,250.10. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Robert Coy, MOTOGIRO USA, Use of Public Property: Alley behind 151 Third Street, September 24, 2016, 11:00 AM to 2:30 PM

Nelson makes the motion to approve the request by Robert Coy, MOTOGIRO USA, Use of Public Property, the alley behind 151 Third Street on September 24, 2016 from 11:00 AM to 2:30 PM, insurance has been provided; pending approval by the Police Chief. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Walter Ramsey, Town Planner, Execute Change Order #6 for Canal Street Parking Lot, \$21,862.32

CO#6 is expected to be the final change order. It pertains to unexpected ledge and an unmarked water line at the stormwater tie-in at the corner of Canal and 3rd Street. The expense covers the removal and replacement of the water line that was nested in ledge, removal of ledge, replacement fill, and additional pavement patch area. The CO has been reviewed and approved by

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the project engineer. The good news is that despite hitting over 200 CY of ledge, 2 underground storage tanks, and an unmarked water line we are still within contingency of the grant. We don't expect more COs because we are done putting shovels in the ground. The remaining items include the final paving layer, line marking, tree planting, sidewalk, and sign. I am advised that the project should be wrapped up by the end of the month.

Nelson makes the motion to approve Change Order #6 for Canal Street Parking Lot in the amount of \$21,862.32. Seconded by Boutwell approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Other

Ramsey: I would like to bring this up as an "item not anticipated" tonight. It is a contract for the replacement of the rooftop HVAC unit on the Shea Theater. I've been working on this proposal for weeks and it just finally came through. The Town would contract with B2Q associates to install a new high-efficiency packaged rooftop unit. They would be procured under MGL ch25A which allows town to contract directly with state and utility vetted/approved companies to install energy efficiency projects under 100K. We managed to carve out a project that is \$98,981. The reason for the urgency is that there is a 7 week lead time + 1 week shipping to receive the unit. Earliest possible install would be 11/14, so a delay of one week to next Monday puts the project at risk of weather.

This would allow the town to spend down the 2014 Green Community grant. It does NOT, unfortunately, address a replacement of the lower roof or replacement of the lower roof ductwork. We simply do not have enough in budget right now to cover those items. We are short by about 10K. This fall the town would remove the lower roof ballast and re-tar the lower roof. We will revisit the ductwork and roof replacement in the Spring, potentially to be augmented by a Capital Facilities Fund grant. Shea and DPW are OK with this plan.

Boutwell doesn't feel comfortable voting on this as it is not on the agenda. Ramsey is bringing this before the board due to the risk of running into bad weather

Nelson makes the motion to approve the contract as presented to B2Q in regards to the Shea Theater RTU Replacement in the amount of \$98,981.00, motion is being made despite the fact it is under topic not anticipated since this discussion has been ongoing for many years, it has to be done, the heating season is quickly upon us and we need to do something. Seconded by Kuklewicz. Approved. Nelson – Aye, Kuklewicz – Aye, Boutwell - Abstain

Acknowledgement of Open Meeting Law complaint filed by Tom Relihan, The Recorder On August 18, 2016 because the Recorder has reason to believe the Montague Selectmen violated the Open Meeting under exemption #1, MGL c. 30A s. 21 (a)(1) because they believe the professional competence of the individual was indeed discussed during said session.

Nelson makes the motion to acknowledge Open Meeting Law Complaint filed by Tom Relihan, The Recorder on August 18, 2016 and authorize Kopelman & Paige to reply, seconded by Boutwell, approved. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Ariel Elan

Update on the DPU's acceptance of four Town's and our legislators as full intervenors in the proceeding

Elan: In the department of public utilities review of Berkshire gases forecast and supply plan for different municipalities including Montague and Deerfield were admitted as full intervenors. Also the group of legislators that represent all eight of the Pioneer Valley towns that are impacted by the Berkshire Gas moratorium, were accepted as an intervening group. The press is all over this and it is getting a lot of publicity. Although Berkshire Gas did appear at a public hearing last Tuesday stating once again all the reasons why they felt the moratorium was necessary and stating they had great intentions to resolve it in this proceeding, their 245 page plan presented to the DPU for evaluation does not have a set of steps to finish off the moratorium. Of course Montague, Deerfield and I would think Amherst as well and the town of Hadley main goal is to get the DPU to order the moratorium ended by specific local changes to infrastructure by a date certain that's our goal.

Request vote to authorize gift account for DPU proceeding 16-103

Nelson makes the motion to authorize the Town Accountant to set up a gift account for DPU proceeding 16-103. Seconded by Boutwell, approved. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

New policy announced by Governor Baker that makes Montague's intervention even more important

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There was an announcement to get Plan B pushed through which is to get a large pipeline built in the State, to push for Gas LDC's to oversubscribe, hold extra supply and hold to sell to electric generators at peak demand. From my point of view, this is why our intervention is even more important.

Town Administrators Report

Resignation of Carolyn Olsen from Town Administrator's Selection Committee

Nelson makes the motion to accept the resignation of Carolyn Olsen from the Town Administrators Selection Committee. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz

Execute FY2017 Training Grant and EMD/Regulatory Compliance Grant, \$13,000

Nelson makes the motion to execute the FY2017 Training Grant and EMD/Regulatory Compliance Grant in the amount of \$13,000 as presented. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Execute Agreement with MedCare Emergency Health Inc. 7/1/16 – 6/30/17

Nelson makes the motion to execute the agreement with MedCare Emergency Health Inc. from 7/1/16 – 6/30/17 as presented. Seconded by Boutwell – Approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

Execute MOU with FCSWMD regarding Third-Party Inspection of the Town's Municipal Transfer Station, effective through 6/30/17, \$150.00

Boutwell recuses himself as he is vice chair of the District

Nelson makes the motion to Execute the MOU with FCSWMD regarding Third-Party Inspection of the Town's Municipal Transfer Station, effective through 6/30/17, \$150.00. Seconded by Kuklewicz, approved. Nelson – Aye, Kuklewicz – Aye, Boutwell - Abstain

Execute MOU with FCSWMD regarding the Household Hazardous Waste Collection on October 1, 2016, \$5,500

Boutwell recuses himself as he is vice chair of the District

Nelson makes the motion to execute the MOU with FCSWMD regarding the Household Hazardous Waste Collection on October 1, 2016, \$5,500. Seconded by Kuklewicz, approved. Nelson – Aye, Kuklewicz – Aye, Boutwell – Abstain

Execute MOU with FCSWMD regarding Hauling & Disposal of Sludge, 7/1/16 – 6/30/17

Boutwell recuses himself as he is vice chair of the District

Nelson makes the motion to execute the MOU with the FCSWMD regarding Hauling and Disposal of Sludge from 7/1/16 to 6/30/17. Seconded by Kuklewicz, approved. Nelson – Aye, Kuklewicz – Aye, Boutwell – Abstain

Letter from Nancy Wychorski regarding Canal Street Bridge

This bridge is a state bridge and letter will be prepared and sent to MassDOT along with Mrs. Wychorski's letter

Town Meeting Warrant – To approve and execute draft warrant, September 29, 2016 Special Town Meeting Warrant, attached hereto

ARTICLE 1. To see if the Town will vote to amend the vote taken pursuant to Article 4 of the May 7, 2016 Annual Town Meeting by increasing the annual salary of the elected Treasurer/Tax Collector to \$68,954 and increasing the annual salary of the Town Clerk to \$67,602, or to pass any vote or votes in relation thereto.

SCHEDULE I

Elected Officials

	FY17 CURRENT	FY17 REQUESTED
TITLE		
INCUMBANT TREASURER/COLLECTOR	68,271 *	68,954
*Grade G Step 10		
TOWN CLERK	66,933***	67,602
***Grade G Step 9 (Board of Selectmen Request)		

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ARTICLE 2. To see if the Town will vote to amend the vote taken pursuant to Article 5 of the May 7, 2016 Annual Town Meeting by changing the wage ranges for the following Non-Union employees as shown and adding the position of appointed Interim Treasurer/Collector, or to pass any vote or votes in relation thereto.

SCHEDULE II

Appointed Officials

NON-UNION EMPLOYEES NOT SHOWN ABOVE

	Grade	Current Range FY2017		Requested Range FY2017	
SALARIED		Start	End	Start	End
TOWN ADMINISTRATOR	J	85,737	105,515	86,594	106,570
TOWN ACCOUNTANT	G	55,746	68,271	56,303	68,954
INTERIM TREASURER/COLLECTOR	G			56,303	68,954
CHIEF OF POLICE	I	77,943	95,922	78,722	96,881
DPW SUPERINTENDENT	H	70,858	87,202	71,567	88,084
DIRECTOR OF HEALTH	G	55,746	68,271	56,303	68,954
LIBRARY DIRECTOR	G	55,746	68,271	56,303	68,954
WPCF SUPERINTENDENT	H	70,858	87,202	71,567	88,084

	Grade	Current Range FY2017		Requested Range FY2017	
HOURLY					
SELECTMEN'S SECRETARY	E	20.72	25.50	20.93	25.76
POLICE LIEUTENANT (steps 6-10)	G+8.5*	34.78	37.68	35.13	38.03

Informational Only: Fiscal Year 2017 budgeted REVISED wages

TOWN ADMINISTRATOR*	104,480	DIRECTOR OF HEALTH	68,954
TOWN ACCOUNTANT	68,954	LIBRARY DIRECTOR	62,148
DPW SUPERINTENDENT	84,655	WPCF SUPERINTENDENT*	88,074
CHIEF OF POLICE**	104,273	SELECTMEN'S SECRETARY	25.76
POLICE LIEUTENANT	35.13		

*incumbent or prior employee

** includes add'l 20% educational incentive pay

(Board of Selectmen 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 \$18,050, or any other amount, for the purpose of funding the implementation of a collective bargaining agreement with the International Brotherhood of Police Officers for Fiscal Year 2017, with increases to be paid retroactively to July 1, 2016, or to pass any vote or votes in relation thereto. (Board of Selectmen 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 \$16,100, or any other amount, for the purpose of funding the implementation of a collective bargaining agreement with the Town of Montague Employee Association for Fiscal Year 2017, with increases to be paid retroactively to July 1, 2016, or to pass any vote or votes in relation thereto. (Board of Selectmen 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 \$100, or any other amount, for the purpose of funding the implementation of a collective bargaining agreement with the United Electrical, Radio and Machine Workers of America, Local 274 for Fiscal Year 2017, with increases to be paid retroactively to July 1, 2016, or to pass any vote or votes in relation thereto. (Board of Selectmen 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 \$7,004, or any other amount, for the purpose of funding a Wage Adjustment for the pay schedule for non-union employees shown on Schedule II for Fiscal Year 2017, as set forth under Article 2 of this Warrant, with increases to be paid retroactively to July 1, 2016, or to pass any vote or votes in relation thereto. (Board of Selectmen Request)

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ARTICLE 7. To see if the Town will vote to amend the vote taken pursuant to Article 7 of the May 7, 2016 Annual Town Meeting by increasing the Treasurer/Collector line by \$4,500 and raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$4,500, or any other amount, for the purpose of funding said increase, or to pass any vote or votes in relation thereto.
(Treasurer/Tax Collector 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 \$60,000, or any other amount, for the purpose of restructuring the stage to add classroom space at Hillcrest Elementary School, including the payment of all costs incidental or related thereto, or to pass any vote or votes in relation thereto.
(Gill-Montague Regional School District 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 \$10,000, or any other amount, for the purpose of replacing pillars in the front of the Administration Office at the Sheffield Elementary School, including the payment of all costs incidental or related thereto, or to pass any vote or votes in relation thereto.
(Gill-Montague Regional School District 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 \$350,000, or any other amount, for the purpose of reducing the Fiscal Year 2017 sewer rates, or to pass any vote or votes in relation thereto.
(WPCF Request)

ARTICLE 11. To see if the Town will vote to rescind Article #20 of the May 7, 2016 Annual Town Meeting, which appropriated \$200,000 to the WPCF Capital Stabilization Fund from Sewer User Fees, or to pass any vote or votes in relation thereto.
(WPCF 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 \$27,000, or any other amount, for the purpose of purchasing and equipping a vehicle for the police department, including any and all incidental and related costs, or to pass any vote or votes in relation thereto.
(Police Department 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 \$28,100, or any other amount, for the purpose of purchasing and installing permit and inspection software and equipment for the Building Inspector and Board of Health, including one year of technical support and the payment of all costs incidental and related to said purchase, installation and support, or pass any vote or votes in relation thereto.
(Board of Health and Building Inspector Request)

ARTICLE 14. To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$25,000, or any other amount, for the purpose of purchasing and installing a phone system for the Town Hall, and purchasing and installing wiring for the phone system and other technology, including any and all incidental and related costs, or pass any vote or votes in relation thereto.
(Town Accountant Request)

ARTICLE 15. To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$73,346, or any other amount, for the purpose of increasing the Town General Stabilization Fund, or pass any vote or votes in relation thereto.
(Finance Committee Request)

ARTICLE 16. To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$20,000, or any other amount, to continue Montague's participation in DPU docket 16-103 (or any succeeding docket number), concerning a review of Berkshire Gas Company's five-year Forecast and Supply Plan, for the purpose of achieving a local, incremental, and timely solution to the Company's moratorium on new and expanded natural-gas service in Montague and other Pioneer Valley ratepayer Towns, and to participate in any appeals, consolidations of cases, or related regulatory or legal proceedings at the state or Federal level that will have any bearing on the end of the moratorium, or to pass any vote or votes in relation thereto. Funds appropriated in this Article shall be spent at the discretion of the Board of Selectmen. Funds appropriated in this Article may fund or help to fund actions undertaken by the Town alone or in conjunction with actions taken by any other municipality, coalition, or organization engaging in such regulatory or legal action.
(Board of Selectmen Request)

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Nelson makes the motion to approve and execute the September 29, 2016 Special Town Meeting Warrant Articles 1 – 12 as written below: Seconded by Boutwell approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Nelson makes the motion to approve and execute the September 29, 2016 Special Town Meeting Warrant Article 13 as written below. Seconded by Boutwell, approved Boutwell – Aye, Nelson – Aye Kuklewicz – Abstain

Nelson makes the motion to approve and sign the entire warrant for September 29, 2016 Special Town Meeting Warrant Articles 14 – 16 as written below: Seconded by Boutwell approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Nelson makes the motion to approve and execute the September 29, 2016 Special Town Meeting Warrant as presented. Seconded by Boutwell approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

MISC APPOINTMENTS

Boutwell makes the motion to appoint Richard Kuklewicz to the FRTA Advisory Board, 1 year until June 30, 2017 (Replaces Chris Boutwell, must be Chair of Selectboard). Seconded by Nelson, approved. Boutwell – Aye, Nelson – Aye, Kuklewicz - Abstain

Boutwell makes the motion to Appoint Jeff Singleton to FRTA Advisory Board – Alternate, 1 year until June 30, 2017 (Corrected to Alternate Member). Seconded by Nelson, approved. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

Boutwell makes the motion to Appoint Bruce Young to FRCOG Representative for Montague Planning Board, 1 Year until June 30, 2017 (Replaces Bob O'Bear's appointment in error). Seconded by Nelson, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz - Aye

OTHER

FCSWMD Annual Household Hazardous Waste (HHW) Collection, October 1, 2016, pre-register by 9/26/16

Nelson makes the motion to adjourn the meeting at 8:00 PM. Seconded by Boutwell, approved unanimously. Boutwell – Aye, Nelson – Aye, Kuklewicz – Aye

List of Documents and Exhibits:

- Element Brewing Company, Special 1 Day Beer & Wine License, Element Brewing, 16 Bridge Street, Millers Falls, October 1, 2016, 10:30 AM to 11:00 PM
- Linda Tardif, Special 1 Day Beer & Wine License, Shea Theater, 71 Avenue A, September 17, 23, 24, 30, 2016; 6:00 PM to 11:00 PM
- Special 1 Day Beer & Wine License, Shea Theater, 71 Avenue A, October 1, 7, 8, 21, 22, 28, 29, 2016; 6:00 PM to 11:00 PM
- Disburse No. 1, Invoice #0724087, Lake Pleasant Park Planning Project to GZA GeoEnvironmental Inc., \$7,250.10
- Change Order #6 for Canal Street Parking Lot, \$21,862.32
- Use of Public Property: Alley behind 151 Third Street, September 24, 2016, 11:00 AM to 2:30 PM
- Open Meeting Law complaint filed by Tom Relihan, The Recorder
- Request vote to authorize gift account for DPU proceeding 16-103
- Resignation of Carolyn Olsen from Town Administrator's Selection Committee
- FY2017 Training Grant and EMD/Regulatory Compliance Grant, \$13,000
- Agreement with MedCare Emergency Health Inc. 7/1/16 – 6/30/17
- MOU with FCSWMD regarding Third-Party Inspection of the Town's Municipal Transfer Station, effective through 6/30/17, \$150.00
- MOU with FCSWMD regarding the Household Hazardous Waste Collection on October 1, 2016, \$5,500
- MOU with FCSWMD regarding Hauling & Disposal of Sludge, 7/1/16 – 6/30/17
- Letter from Nancy Wychorski regarding Canal Street Bridge
- September 29, 2016 Special Town Meeting Warrant
- Appointment form: Richard Kuklewicz to FRTA Advisory Board, 1 year until June 30, 2017 (Replaces Chris Boutwell, must be Chair of Selectboard)

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- Appointment form: Jeff Singleton to FRTA Advisory Board – Alternate, 1 year until June 30, 2017 (Corrected to Alternate Member)
- Appointment form: Bruce Young to FRCOG Representative for Montague Planning Board, 1 Year until June 30, 2017 (Replaces Bob O'Bear's appointment in error)
- FCSWMD Annual Household Hazardous Waste (HHW) Collection, October 1, 2016, pre-register by 9/26/16