

**ANNUAL TOWN MEETING
TOWN OF MONTAGUE
COMMONWEALTH OF MASSACHUSETTS
May 6, 2017**

ARTICLE 1. MOVED: That the Town vote to receive and act upon the reports of the Officers of the Town and to receive the report of any committees and act thereon.

PASSED/UNANIMOUS VOTE

ARTICLE 2. MOVED: That the Town vote to authorize the Board of Selectmen, or other Town departments with the approval of the Board of Selectmen, to apply for and accept grants from the Federal Government, Commonwealth of Massachusetts, or any other source, and to expend the same for purposes received without further appropriation.

PASSED/UNANIMOUS VOTE

ARTICLE 3. MOVED: That the Town vote to establish a revolving fund for the Hazardous Materials Response Planning Committee (a.k.a. the SARA Title III Committee), as described under Article 3 in the Warrant for the fiscal year beginning on July 1, 2017, to amend the Town of Montague General Bylaws relative to revolving funds, and to establish spending limits for the Town's revolving funds, all as set forth under Article 3 of the Warrant.

PASSED/UNANIMOUS VOTE

ARTICLE 4. MOVED: That the Town vote to fix the salaries of all elected officials as required by law for the fiscal year beginning July 1, 2017, as set forth in Schedule I, Elected Officials.

**SCHEDULE I
Elected Officials**

<u>TITLE</u>	<u>FY16 ACTUAL</u>	<u>FY17 BUDGET</u>	<u>FY18 REQUEST</u>	<u>FY18 RECOMMEND</u>
MODERATOR	340	340	350	350
BOARD OF SELECTMEN				
Chairman	1,500	2,040	2,040	2,040
Second/Third Members	1,500	2,040	2,040	2,040
BOARD OF ASSESSOR				
Chairman	1,500	1,500	1,500	1,500
Second/Third Members	1,500	1,500	1,500	1,500
TOWN CLERK	65,620	67,602*	69,988**	69,988
*G-9,**G-10				
BOARD OF REGISTRARS				
Town Clerk	800	800	800	800
TREE WARDEN	1,300	1,500	1,500	1,500
BOARD OF HEALTH				
Chairman	1,500	1,500	1,500	1,500
Second/Third Members	1,500	1,500	1,500	1,500

PASSED/UNANIMOUS VOTE

ARTICLE 5. MOVED: That the Town vote to fix the salaries of all appointed officials as required by law for the fiscal year beginning July 1, 2017, as set forth in Schedule II Appointed Officials.

**SCHEDULE II
Appointed Officials**

<u>TITLE</u>	<u>FY16 ACTUAL</u>	<u>FY17 BUDGET</u>	<u>FY18 REQUEST</u>	<u>FY18 RECOMMEND</u>
<u>ANNUAL STIPENDS</u>				
BOARD OF REGISTRARS (3)	500	500	500	500
EMERGENCY MGMT DIRECTOR	5,490	5,490	5,490	5,490
ANIMAL INSPECTOR	1,500	1,500	1,500	1,500
BARN INSPECTOR	1,000	1,000	1,000	1,000
IT ADMINISTRATOR	2,000	2,000	2,000	2,000
FOREST WARDEN	1,631	1,631	1,631	1,631
<u>RATES PER INSPECTION</u>				
ASST. BUILDING INSPECTOR	27.50	27.50	27.50	27.50
GAS INSPECTOR	27.50	27.50	27.50	27.50
PLUMBING INSPECTOR	27.50	27.50	27.50	27.50
ELECTRICAL INSPECTOR	27.50	27.50	27.50	27.50
<u>HOURLY RATES</u>				
	<u>Ranges/hr.</u>	<u>Ranges/hr.</u>	<u>Ranges/hr.</u>	<u>Ranges/hr.</u>
EXTRA CLERICAL	8.00-10.00	10.00-12.00	11.00-12.00	11.00-12.00
ELECTION WORKERS	8.00-10.00	10.00-13.00	11.00-13.00	11.00-13.00
SUMMER HIGHWAY	8.00-12.00	10.00-13.00	11.00-13.00	11.00-13.00
SNOW PLOW DRIVERS	15.00-25.00	15.00-25.00	15.00-25.00	15.00-25.00
PART TIME POLICE OFFICERS	14.50-17.00	14.50-17.00	17.00-19.00	17.00-19.00
PART TIME DISPATCHERS	17.00-19.00	17.00-19.00	17.00-19.00	17.00-19.00
PARKS & RECREATION	9.00-25.63	9.00-20.00	11.00-20.00	11.00-20.00

NON-UNION EMPLOYEES NOT SHOWN ABOVE

<u>SALARIED</u>	<u>Grade</u>	<u>Range FY2017</u>		<u>Range FY2018</u>	
		<u>Start</u>	<u>End</u>	<u>Start</u>	<u>End</u>
TOWN ADMINISTRATOR	J	86,594	106,570	87,893	108,169
TOWN ACCOUNTANT	G	56,303	68,954	57,148	69,988
TREASURER/TAX COLLECTOR	G	56,303	68,954	57,148	69,988
CHIEF OF POLICE	I	78,722	96,881	79,903	98,334
DPW SUPERINTENDENT	H	71,567	88,084	72,641	89,395
DIRECTOR OF HEALTH	G	56,303	68,954	57,148	69,988
LIBRARY DIRECTOR	G	56,303	68,954	57,148	69,988
WPCF SUPERINTENDENT	H	71,567	88,084	72,641	89,395

NON-UNION EMPLOYEES NOT SHOWN ABOVE

<u>HOURLY</u>	<u>Grade</u>	<u>Range FY2017</u>		<u>Range FY2018</u>	
		<u>Start</u>	<u>End</u>	<u>Start</u>	<u>End</u>
EXECUTIVE ASSISTANT	E	20.93	25.76	21.24	26.15
POLICE LIEUTENANT	G+8.5%	35.13	38.03	35.80	38.75
POLICE CUSTODIAN	A	14.03	17.26	14.24	17.52

Informational Only: Fiscal Year 2018 budgeted wages with 1.5% COLA

TOWN ADMINISTRATOR	106,047	DPW SUPERINTENDENT	87,642
TOWN ACCOUNTANT	69,988	DIRECTOR OF HEALTH	69,988
TREAS/TAX COLLECTOR	58,577	LIBRARY DIRECTOR	64,658
CHIEF OF POLICE*	108,482	WPCF SUPERINTENDENT	87,642
EXECUTIVE ASSISTANT	25.50	POLICE LIEUTENANT	36.51
POLICE CUSTODIAN	15.34		

*includes add'l 20% educational incentive pay

PASSED/UNANIMOUS VOTE

ARTICLE 6. MOVED: That the Town vote to appropriate the sum of \$8,993,941 for the maintenance of the several departments of the Town, and for any other necessary changes, with \$100,000 to be raised from Free Cash and \$8,893,941 to be raised from Taxation, said sums to be allocated in accordance with Schedule III, Budget

SCHEDULE III BUDGET

DEPT NO.		EXPENDED FY16	BUDGET FY17	REQUESTED FY18	SELECTMEN FIN COMM RECOMMEND FY18
	<u>GENERAL GOVERNMENT</u>				
113	TOWN MEETING	1,369	1,700	1,700	1,700
122	SELECTMEN	155,553	197,278	169,212	169,212
131	FINANCE COMMITTEE	615	690	680	680
132	RESERVE FUND	55,840	60,000	60,000	60,000
135	TOWN ACCOUNTANT	76,437	75,104	76,163	76,163
141	ASSESSORS	159,170	160,715	165,705	165,705
141	BOA SOFTWARE/CAPITAL				-
145	TREASURER/COLLECTOR	218,035	218,050	212,823	212,823
151	TOWN COUNSEL	74,569	70,000	98,000	98,000
155	INFORMATION TECHNOLOGY	31,492	35,055	53,480	53,480
159	SHARED COSTS	43,664	51,109	77,009	77,009
161	TOWN CLERK	135,316	145,490	135,183	135,183
175	PLANNING	78,690	86,131	89,233	89,233
176	ZONING BOARD OF APPEALS	2,204	1,650	2,300	2,300
182	MEDIC	776	800	1,000	1,000
190	PUBLIC BLDG UTILITIES	93,004	111,435	116,195	116,195
	TOTAL GENERAL GOVERNMENT	1,126,733	1,215,207	1,258,683	1,258,683
	<u>PUBLIC SAFETY</u>				
211	POLICE	1,410,263	1,492,516	1,492,914	1,492,914
211	POLICE CRUISER	39,498	39,500	42,000	42,000
212	DISPATCH	261,096	277,953	286,358	286,358
241	BUILDING INSPECTOR	123,515	127,106	132,439	132,439
244	SEALER OF WEIGHTS	2,750	2,750	2,750	2,750
291	EMERGENCY MANAGEMENT	5,640	5,490	5,490	5,490
292	ANIMAL CONTROL	16,527	18,396	26,353	26,353
294	FOREST WARDEN	1,631	1,631	1,631	1,631
299	TREE WARDEN	12,826	14,210	17,210	17,210
511	BOARD OF HEALTH	131,182	137,995	139,933	139,933
	TOTAL PUBLIC SAFETY	2,004,928	2,117,547	2,147,078	2,147,078

SELECTMEN

DEPT NO.		EXPENDED FY16	BUDGET FY17	REQUESTED FY18	FIN COMM RECOMMEND FY18
<u>PUBLIC WORKS</u>					
420	DEPT OF PUBLIC WORKS	1,126,608	1,243,223	1,293,765	1,293,765
423	SNOW & ICE	123,759	219,000	224,000	224,000
433	SOLID WASTE	433,085	447,500	457,326	457,326
491	CEMETERIES	6,360	7,000	10,000	10,000
	TOTAL PUBLIC WORKS	1,689,812	1,916,723	1,985,091	1,985,091
<u>HUMAN SERVICES</u>					
541	COUNCIL ON AGING	38,246	44,252	45,489	45,489
543	VETERANS' SERVICES	144,534	164,000	133,500	133,500
	TOTAL HUMAN SERVICES	182,780	208,252	178,989	178,989
<u>CULTURE & RECREATION</u>					
610	LIBRARIES	351,149	364,970	380,428	380,428
630	PARKS & RECREATION	116,112	120,920	126,258	126,258
691	HISTORICAL COMMISSION	-	500	500	500
693	WAR MEMORIALS	1,190	1,200	1,200	1,200
	TOTAL CULTURE/RECREATION	468,450	487,590	508,386	508,386
<u>DEBT SERVICE</u>					
700	DEBT SERVICE	651,031	659,072	639,218	639,218
<u>INTERGOVERNMENTAL</u>					
840	INTERGOVERNMENTAL	94,258	92,564	99,253	99,253
<u>MISCELLANEOUS</u>					
910	EMPLOYEE BENEFITS	1,789,352	1,963,295	2,083,243	2,083,243
946	GENERAL INSURANCE	84,899	92,946	94,000	94,000
	TOTAL MISCELLANEOUS	1,874,251	2,056,241	2,177,243	2,177,243
	GRAND TOTAL GENERAL FUND	8,092,243	8,753,196	8,993,941	8,993,941

PASSED/UNANIMOUS VOTE

ARTICLE 7. MOVED: That the Town vote to appropriate the sum of \$2,384,214 for the purpose of operating the Water Pollution Control Facility and associated pumping stations, with \$200,000 to be raised from Taxation and \$2,184,214 to be raised from Sewer User Fees, said sums to be allocated in accordance with Schedule IV, WPCF Budget.

SCHEDULE IV, WPCF BUDGET

DEPT NO.		EXPENDED FY16	BUDGET FY17	REQUESTED FY18	SELECTMEN FIN COMM RECOMMEND FY18
<u>WATER POLLUTION CONTROL</u>					
440	Wages & Expenses	1,411,128	1,602,016	1,573,712	1,573,712
700	Debt Service	426,046	430,457	495,802	495,802

SELECTMEN
FIN COMM

DEPT NO.		EXPENDED FY16	BUDGET FY17	REQUESTED FY18	RECOMMEND FY18
910	Employee Benefits	194,173	249,260	264,700	264,700
	SUBTOTAL WPCF	2,031,347	2,281,733	2,334,214	2,334,214
449	DPW SUBSIDIARY				
	Wages & Expenses	46,953	42,000	42,000	42,000
	Capital Outlay	6,467	8,000	8,000	8,000
	SUBTOTAL DPW SUBSIDIARY	53,420	50,000	50,000	50,000
	TOTAL WPCF	2,084,768	2,331,733	2,384,214	2,384,214

PASSED/UNANIMOUS VOTE

ARTICLE 8. MOVED: That the Town vote to appropriate the sum of \$97,525 for the purpose of funding the operations, maintenance, and debt service of the Colle Building, said sum to be raised from Colle Receipts Reserved for Appropriation.

PASSED/UNANIMOUS VOTE

ARTICLE 9. MOVED: That the Town vote to appropriate the sum of \$49,925 for the purpose of operating the Turners Falls Airport, with \$16,667 to be raised from Taxation and \$33,258 to be raised from Airport User Fees.

PASSED/UNANIMOUS VOTE

ARTICLE 10. MOVED: That the Town vote to appropriate the sum of \$747,340 for the purpose of paying the Franklin County Technical School District for Montague's share of the assessment for the yearly operation of the Franklin County Technical School, said sum to be raised from Taxation.

PASSED/UNANIMOUS VOTE

ARTICLE 11. MOVED: That the Town vote to appropriate the sum of \$9,356,560 for the purpose of paying the Gill-Montague Regional School District for Montague's share of the assessment for the yearly operation of the Gill-Montague Regional Schools, with \$100,000 to be raised from Free Cash and \$9,256,560 to be raised from Taxation.

PASSED/MAJORITY VOTE

ARTICLE 12. MOVED: That the Town vote to appropriate the sum of \$80,000 for the purpose of upgrading the electrical service and panels at Hillcrest Elementary School, including any and all incidental and related costs, said sum to be raised from the Free Cash.

PASSED/UNANIMOUS VOTE

ARTICLE 13. MOVED: That the Town vote to appropriate the sum of \$15,000 for the purpose of replacing two water heaters at Sheffield Elementary School, including any and all incidental and related costs, said sum to be raised from Taxation.

PASSED/UNANIMOUS VOTE

ARTICLE 14. MOVED: That the Town vote to appropriate the sum of \$22,850 for the purpose of increasing amount appropriated under Article 8 of the September 29, 2016 Special Town Meeting, which appropriated \$60,000 for the purpose of restructuring the stage to add classroom space at Hillcrest Elementary School, said sum to be raised by transferring the unexpended balance of \$17,362.79 from Article 23 of the September 13, 2012 Special Town Meeting, which appropriated funds for the Sheffield boiler, and transferring \$5,487.21 from the unexpended balance of Article 22 of the May 3, 2014 Annual Town Meeting, which appropriated funds for school security improvements.

PASSED/UNANIMOUS VOTE

ARTICLE 15. MOVED: That the Town vote to appropriate the sum of \$35,000 for purchasing and installing valve automation, relocation of Variable Frequency Drives, and completing the SCADA Alarm system for the Water Pollution Control Facility, including any and all incidental and related costs, said sum to be raised from Sewer User Fees.

PASSED/UNANIMOUS VOTE

ARTICLE 16. MOVED: That the Town vote to appropriate the sum of \$85,000 for the purpose of conducting a Feasibility Study, to be titled “Final Clarifier Upgrade/Raw Influent Bypass ,” or something similar, for the purpose of analyzing options for addressing sewer overflows, including but not limited to determining whether or not running an additional sewer line before the head works to the intake of the wet weather tank would help control flows during rain events, said sum to be raised from Sewer User Fees.

PASSED/UNANIMOUS VOTE

ARTICLE 17. MOVED: That the Town vote to appropriate the sum of \$200,000 for the purpose of increasing the WPCF Capital Stabilization Fund, said sum to be raised from Sewer User Fees.

PASSED/UNANIMOUS VOTE

ARTICLE 18. MOVED: That the Town vote to appropriate the sum of \$15,000 for the purpose of purchasing, equipping and making major repairs to WPCF vehicles and equipment, including any and all incidental and related costs, said sum to be raised from Sewer User Fees.

PASSED/UNANIMOUS VOTE

ARTICLE 19. MOVED: That the Town vote to appropriate the sum of \$48,500 for the purpose of purchasing and equipping a utility truck for the WPCF, including any and all incidental and related costs, said sum to be raised from Sewer Retained Earnings.

PASSED/UNANIMOUS VOTE

ARTICLE 20. MOVED: That the Town vote to appropriate the sum of \$10,000 for the purpose of replacing a boiler in the WPCF Operations Building, including any and all incidental and related costs, said sum to be raised from Sewer Retained Earnings.

PASSED/UNANIMOUS VOTE

ARTICLE 21. MOVED: That the Town vote to appropriate the sum of \$50,000 for the purpose of increasing the WPCF Capital Stabilization Fund, said sum to be raised from Sewer Retained Earnings.

PASSED/UNANIMOUS VOTE

ARTICLE 22. MOVED: That the Town vote to approve Article 22, relative to a Payment in Lieu of Tax Agreement with FirstLight Hydro Generating Co., as set forth in the Warrant.

PASSED/DECLARED MAJORITY VOTE

ARTICLE 23. MOVED: That the Town vote to approve Article 23, relative to a ground lease agreement with Kearsarge Solar LLC, as set forth in the Warrant.

PASSED/UNANIMOUS VOTE

ARTICLE 24. MOVED: That the Town vote to approve Article 24, relative to a Payment in Lieu of Tax Agreement with Kearsarge Solar LLC, as set forth in the Warrant.

PASSED/UNANIMOUS VOTE

ARTICLE 25. MOVED: That the Town vote to appropriate the sum of \$5,000 for the purpose of purchasing and installing an air exchange ventilation system in the Carnegie Library, including any and all incidental and related costs, said sum to be raised from Taxation.

PASSED/UNANIMOUS VOTE

ARTICLE 26. MOVED: That the Town vote to appropriate the sum of \$30,000 for the purpose of replacing and/or repairing roofing and trim at the Carnegie Library, including any and all incidental and related costs, said sum to be raised from Taxation.

PASSED/UNANIMOUS VOTE

ARTICLE 27. MOVED: That the Town vote to appropriate the sum of \$45,000 for a Building Assessment Study of the Carnegie, Millers Falls, and Montague Center Libraries, including any and all incidental and related costs, said sum to be raised from Free Cash.

PASSED/MAJORITY VOTE

ARTICLE 28. MOVED: That the Town vote to appropriate the sum of \$3,500 for the purpose of purchasing and installing a chain link fence in Highland Park, including any and all incidental and related costs, said sum to be raised from Taxation.

DEFEATED/MAJORITY VOTE

ARTICLE 29. MOVED: That the Town vote to appropriate the sum of \$15,000 for the purpose of re-sealing and re-painting the walkways within the Unity Park Playground, including any and all incidental and related costs, said sum to be raised from Taxation.

PASSED/UNANIMOUS VOTE

ARTICLE 30. MOVED: That the Town vote to appropriate the sum of \$385,000 for the purpose of lining, cleaning and inspection of sewers and GIS sewer layer development, including any and all incidental and related costs, said sum to be raised from Sewer Borrowing and as funding therefore, that the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow said sum and issue bonds and notes therefore pursuant to Massachusetts General Laws, Chapter 44, section 7, or any other enabling authority; provided that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and further to authorize the Board of Selectmen to take any other action necessary to carry out this project.

PASSED/UNANIMOUS VOTE

ARTICLE 31. MOVED: That the Town vote to appropriate the sum of \$100,000 for the purpose of purchasing, equipping, and making major repairs to DPW vehicles and equipment, including any and all incidental and related costs, said sum to be raised from Taxation.

PASSED/UNANIMOUS VOTE

ARTICLE 32. MOVED: That the Town vote to appropriate the sum of \$76,000 for the purpose of purchasing and equipping a new one ton dump truck with plow, including any and all incidental and related costs, said sum to be raised from Free Cash.

PASSED/UNANIMOUS VOTE

ARTICLE 33. MOVED: That the Town vote to amend the classification plan by adding the position of Transfer Station Attendant at Grade A.

PASSED/UNANIMOUS VOTE

ARTICLE 34. MOVED: That the Town vote to amend the classification plan by adding the position of Group Leader of Grounds Maintenance at Grade D.

PASSED/UNANIMOUS VOTE

ARTICLE 35. MOVED: That the Town vote to appropriate the sum of \$15,000 for the purpose of purchasing police equipment such as firearms and accessories, computers and accessories, police cruiser equipment, department furniture, bullet-proof vests, tasers, radios or any similar items as well as extraordinary repairs to same, said sum to be raised from Taxation.

PASSED/MAJORITY VOTE

ARTICLE 36. MOVED: That the Town vote to appropriate the sum of \$15,000 for the purpose of funding information technology equipment, parts, accessories, software and installations, said sum to be raised from Taxation.

PASSED/UNANIMOUS VOTE

ARTICLE 37. MOVED: That the Town vote to appropriate the sum of \$5,000 for the purpose of funding the purchase of a new Town Website, including the purchase of software, licenses, parts and equipment, installation training, and any and all incidental and related costs said sum to be raised from Taxation.

PASSED/UNANIMOUS VOTE

ARTICLE 38. MOVED: That the Town vote to appropriate the sum of \$52,395 for the purpose of increasing the Town General Stabilization Fund, said sum to be raised from Taxation.

PASSED/UNANIMOUS VOTE

ARTICLE 39. MOVED: That the Town vote to appropriate the sum of \$34,930 for the purpose of increasing the Town Capital Stabilization Fund, said sum to be raised from Taxation.

PASSED/UNANIMOUS VOTE

ARTICLE 40. MOVED: That the Town vote to appropriate the sum of \$23,792 for the purpose of increasing the FCTS Stabilization Fund, said sum to be raised from Taxation.

PASSED/UNANIMOUS VOTE

ARTICLE 41. MOVED: That the Town vote to appropriate the sum of \$50,000 for the purpose of increasing the Town OPEB Trust Fund, said sum to be raised from Taxation.

PASSED/UNANIMOUS VOTE

ARTICLE 42. MOVED: That the Town vote to appropriate the sum of \$4,500 for the purpose of purchasing, installing and training on a new Public Records software and database package for the Town Clerk's office, including the payment of all costs incidental or related thereto, said sum to be raised from Taxation.

PASSED/UNANIMOUS VOTE

ARTICLE 43. MOVED: That the Town vote to amend Article II Section 6 of the By-Laws of the Town of Montague, relating to the Capital Improvements Committee, by changing "five additional members" to "four additional members".

PASSED/UNANIMOUS VOTE

ARTICLE 44. MOVED: That the Town vote to appropriate the sum of \$1,500 for the purpose of community building activities in Millers Falls, said sum to be raised from Taxation.

PASSED DECLARED MAJORITY VOTE

ARTICLE 45. MOVED: Resolution Supporting State and Federal Legislation to Provide Greater Transparency in Political Donations and Limit the Influence of Money in Politics

WHEREAS, recent changes in funding and disclosure rules for national, state and local political elections have degraded the goals of the democratic process; and

WHEREAS, a recent decision by the Massachusetts Office of Campaign and Political Finance (OCPF) now allows an infusion of previously prohibited out-of-state money to influence local and state elections, new legislation is now required to prohibit such funding from circumventing Massachusetts state law; and

WHEREAS, in an effort to restore voter confidence in our democracy, a grassroots movement known as "Represent.Us" is working for legislative reforms to reduce the opportunity for corruption within the political system in our country by supporting a legislative reform bill known as the "American Anti-Corruption Act" (the Act); and

WHEREAS, the Act targets bribery by preventing lobbyists from donating to politicians and influencing policymaking; ends secret money by mandating full transparency; enables citizens to fund elections; closes the

revolving door between Congress and lobbying firms; and enhances the power of the Federal Election Commission; and

WHEREAS, this national organization's local chapter, Represent.US Western Mass, sought and promoted an advisory referendum; specifically in the Hampshire/Franklin State Senate District (currently held by Stan Rosenberg) to build support for this initiative; and

WHEREAS, on November 4, 2014, the citizens of the above mentioned district were given the opportunity to be heard on this topic through the above advisory referendum where the question received 84 percent aggregate support across the entire district, and

NOW, THEREFORE, BE IT RESOLVED by the citizens of the Town of MONTAGUE, Massachusetts that we support tough new anti-corruption laws to close loopholes in Massachusetts' campaign finance regulations that currently allows unregulated out-of-state money to infiltrate state and local elections; and we support the goals outlined in the American Anti-Corruption Act to remove the corrupting influence of money on our political system. The Act prohibits politicians from taking campaign money from special interest groups including private industries and unions; increases transparency for campaign funding; empowers all voters through a tax rebate voucher to contribute to the candidates they support; prohibits representatives and senior staff from all lobbying activity for five years once they leave office; and places limits on superPACs.

BE IT FURTHER RESOLVED that the citizens of the Town of Montague implore our elected representatives in Boston, State Senator Rosenberg and Representative Kulik and in Washington, Senator Edward Markey and Senator Elizabeth Warren and Representative McGovern (or their successors) to lead this effort to enact these initiatives in Massachusetts and in the U.S. Congress.

BE IT FURTHER RESOLVED that the Clerk of the Town of MONTAGUE is hereby directed to give notice to the above representatives by sending a certified copy of this resolution to each of them.

(Petitioned Article)

PASSED/UNANIMOUS VOTE

ARTICLE 46. MOVED: That the Town vote to instruct the Town of Montague counsel to file the necessary documentation with the Commonwealth of Massachusetts to complete the Municipal Light Plant process using the Greenfield Community Energy & Technology as its model for Montague's Municipal Light Plant.

DEFEATED/DECLARED MAJORITY VOTE

(Petitioned article)

ARTICLE 47. MOVED: WHEREAS, The Town of Montague seeks to ensure that all immigrants are able to fully participate in the civic and economic life of their neighborhoods and nurture and grow the spirit of unity in our Town ; and

WHEREAS, The Town of Montague desires to provide opportunity, access, and equality for immigrants, and highlight the essential role immigrants have played and continue to play in moving the Town of Montague forward; and

WHEREAS, The federal government's Immigration and Customs Enforcement ("ICE") Secure Communities program uses local law enforcement data to identify suspected "criminal aliens" in local custody; and

WHEREAS, ICE issues civil immigration detainer requests which allow for prolonged detention during which ICE investigates the immigration status of suspected "criminal aliens" in local custody; and

WHEREAS, In other jurisdictions, honoring civil immigration detainer requests based on less than probable cause has been ruled a violation of the Fourth Amendment, exposing local law enforcement agencies to liability under 42 U.S.C. § 1983; and

WHEREAS, When local law enforcement officials indiscriminately honor all ICE civil immigration detainer requests, including those that target non-criminal aliens, immigrant residents are less likely to cooperate and public trust erodes, hindering the ability and effectiveness of Montague's police force; and

WHEREAS, A local Trust Act is necessary to establish the Town of Montague's policy for responding to ICE's civil immigration detainer requests;

NOW THEREFORE,

Be it ordained by the Town of Montague , as follows:

Section 1.

Definitions.

(a) "Civil immigration detainer request" means a non-mandatory request issued by an authorized federal immigration officer under Section

287.7 of Title 8 of the Code of Federal Regulations to a local law enforcement official to maintain custody of an individual for a period not to exceed forty-eight (48) hours, excluding Saturdays, Sundays, and holidays, and advise the authorized federal immigration officer prior to the release of that individual.

(b) "Convicted" means a state of having been proved guilty in a judicial proceeding, unless the conviction has been expunged or vacated pursuant to applicable law.

(c) "Eligible for release from custody" means that the individual may be released from custody because any of the following conditions has occurred:

(1) All criminal charges against the individual have been dropped or dismissed;

(2) The individual has been acquitted of all criminal charges filed against him or her;

(3) The individual has served all the time required for his or her sentence;

(4) The individual has posted a bond, or has been released on his or her own recognizance;

(5) The individual has been referred to pre-trial diversion services;

(6) The individual is otherwise eligible for release under state or local law.

(d) "Law enforcement official" means any Town of Montague department, or officer or employee of a Town of Montague department, authorized to enforce criminal statutes, regulations, or local ordinances; operate jails or maintain custody of individuals in jails; and operate juvenile detention facilities or maintain custody of individuals in juvenile detention facilities.

Section 2.

(a) Except as provided in subsection (b), a law enforcement official shall not detain an individual on the basis of a civil immigration detainer request after that individual becomes eligible for release from custody.

(b) Law enforcement officials may continue to detain an individual in response to a civil immigration detainer request for up to forty-eight (48) hours after that individual becomes eligible for release from custody, excluding Saturdays, Sundays, and holidays, if the individual meets any of the following criteria:

(1) ICE has a criminal warrant for the individual;

(2) The individual has ever been convicted of a violent crime as defined in Massachusetts General Laws Chapter 140, Section 121;

(3) In the past ten (10) years, the individual has been convicted of a felony as defined in Massachusetts General Laws Chapter 274, Section 1;

(4) The individual is a current registrant on the Massachusetts Sex Offender Registry;

(5) The individual is identified in the federal government's consolidated Terrorist Watchlist.

(c) Law enforcement officials shall make good faith efforts to seek federal reimbursement for all costs incurred in continuing to detain an individual pursuant to this Section.

Section 3.

Reporting.

Beginning no later than December 31, 2017, and no later than December 31 of each subsequent year, the Town of Montague's Police Chief shall submit a report to the Clerk of the Town of Montague, and the Clerk shall forward the report to the Town of Montague Board of Selectmen and shall docket the report and include the docket on the agenda of the next-occurring meeting of the Town of Montague Board of Selectmen.

The report shall include the following information for the preceding twelve (12) month period:

(a) A statistical breakdown of the total number of civil immigration detainer requests lodged with the Town's law enforcement officials, organized by the reason(s) given for the request;

(b) A statistical breakdown of the total number of individuals that Town of Montague's law enforcement officials detained pursuant to Section 2(b), organized by the reason(s) supporting the detention;

(c) The total number of individuals transferred to ICE custody; and

(d) A statistical breakdown of the total cost reimbursements received from the federal government pursuant to Section 2(c), organized by individual case.

Section 4.

The provisions of this ordinance shall be effective immediately upon passage.

(Petitioned Article)

AMENDED ARTICLE. MOVED: WHEREAS, The Town of Montague seeks to ensure that all immigrants are able to fully participate in the civic and economic life of their neighborhoods and nurture and grow the spirit of unity in our Town ; and

WHEREAS, The Town of Montague desires to provide opportunity, access, and equality for immigrants, and highlight the essential role immigrants have played and continue to play in moving the Town of Montague forward; and

WHEREAS, The federal government’s Immigration and Customs Enforcement (“ICE”) Secure Communities program uses local law enforcement data to identify suspected “criminal aliens” in local custody; and

WHEREAS, ICE issues civil immigration detainer requests which allow for prolonged detention during which ICE investigates the immigration status of suspected “criminal aliens” in local custody; and

WHEREAS, In other jurisdictions, honoring civil immigration detainer requests based on less than probable cause has been ruled a violation of the Fourth Amendment, exposing local law enforcement agencies to liability under 42 U.S.C. § 1983; and

WHEREAS, When local law enforcement officials indiscriminately honor all ICE civil immigration detainer requests, including those that target non-criminal aliens, immigrant residents are less likely to cooperate and public trust erodes, hindering the ability and effectiveness of Montague’s police force; and

WHEREAS, A local Trust Act is necessary to establish the Town of Montague’s policy for responding to ICE’s civil immigration detainer requests;

NOW THEREFORE,

Be it ordained by the Town of Montague , as follows:

Section 1.

Definitions.

(a) “Civil immigration detainer request” means a non-mandatory request issued by an authorized federal immigration officer under Section

287.7 of Title 8 of the Code of Federal Regulations to a local law enforcement official to maintain custody of an individual for a period not to exceed forty-eight (48) hours, excluding Saturdays, Sundays, and holidays, and advise the authorized federal immigration officer prior to the release of that individual.

(b) “Convicted” means a state of having been proved guilty in a judicial proceeding, unless the conviction has been expunged or vacated pursuant to applicable law.

(c) “Eligible for release from custody” means that the individual may be released from custody because any of the following conditions has occurred:

- (1) All criminal charges against the individual have been dropped or dismissed;
- (2) The individual has been acquitted of all criminal charges filed against him or her;
- (3) The individual has served all the time required for his or her sentence;
- (4) The individual has posted a bond, or has been released on his or her own recognizance;
- (5) The individual has been referred to pre-trial diversion services;
- (6) The individual is otherwise eligible for release under state or local law.

(d) “Law enforcement official” means any Town of Montague department, or officer or employee of a Town of Montague department, authorized to enforce criminal statutes, regulations, or local ordinances; operate jails or maintain custody of individuals in jails; and operate juvenile detention facilities or maintain custody of individuals in juvenile detention facilities.

Section 2.

(a) Except as provided in subsection (b), a law enforcement official shall not detain an individual on the basis of a civil immigration detainer request after that individual becomes eligible for release from custody.

(b) Law enforcement officials may continue to detain an individual in response to a civil immigration detainer request for up to forty-eight (48) hours after that individual becomes eligible for release from custody, excluding Saturdays, Sundays, and holidays, if the individual meets any of the following criteria:

- (1) ICE has a criminal warrant for the individual;
- (2) The individual has ever been convicted of a violent crime as defined in Massachusetts General Laws Chapter 140, Section 121;
- (3) In the past ten (10) years, the individual has been convicted of a felony as defined in Massachusetts General Laws Chapter 274, Section 1;

- (4) The individual is a current registrant on the Massachusetts Sex Offender Registry;
- (5) The individual is identified in the federal government's consolidated Terrorist Watchlist.
- (c) Law enforcement officials shall make good faith efforts to seek federal reimbursement for all costs incurred in continuing to detain an individual pursuant to this Section.

Section 3.

Reporting.

Beginning no later than December 31, 2017, and no later than December 31 of each subsequent year, the Town of Montague's Police Chief shall submit a report to the Clerk of the Town of Montague, and the Clerk shall forward the report to the Town of Montague Board of Selectmen and shall docket the report and include the docket on the agenda of the next-occurring meeting of the Town of Montague Board of Selectmen.

The report shall include the following information for the preceding twelve (12) month period:

- (a) A statistical breakdown of the total number of civil immigration detainer requests lodged with the Town's law enforcement officials, organized by the reason(s) given for the request;
- (b) A statistical breakdown of the total number of individuals that Town of Montague's law enforcement officials detained pursuant to Section 2(b), organized by the reason(s) supporting the detention;
- (c) The total number of individuals transferred to ICE custody; and
- (d) A statistical breakdown of the total cost reimbursements received from the federal government pursuant to Section 2(c), organized by individual case.

PASSED/COUNTED VOTE AS AMENDED

YES= 43

NO = 22

(Petitioned Article)