

**SELECTMEN'S MEETING
TUESDAY, JANUARY 22, 2008**

#03

#03-08, 04-08

Meeting was opened at 7:00 PM in the Upstairs Meeting Room. Present were Selectpersons Allen Ross, Patricia Allen and Patricia Pruitt, Town Administrator, Frank Abbondanzio; Brian McHugh, H&RDA; Police Building Committee Members Pam Hanold, Jay DiPucchio and Deb Radway; John Reynolds, Lynn Reynolds, Mike Sweeney, Airport Manager, Peter Golrick, John Hanold, David Detmold, Arn Albertini, Hugh Massey.

Approve Minutes of January 7, 2008

Ross made the motion to approve the minutes of January 7, 2008 with corrections. Seconded by Pruitt, approved unanimously. Pruitt – Aye, Ross – Aye, Allen – Aye.

Public Hearing, FY2008 Community Development Block Grant Application

Abbondanzio: The purpose of this public hearing is to discuss the FY2008 Community Development Block Grant and solicit public response to the grant activities that are being proposed for inclusion in the grant application. This is a federal program from the Department of Housing and Urban Development that is administered through the Mass. Dept of Housing and Community Development we have to meet certain national objectives that are outlined in the HUD regulations. For this grant our goal is to benefit low and moderate income residents of the Town of Montague. Montague was recently found to have 57% of people residing in the town who are low to moderate income, that number has risen considerably in recent years. The Town is planning to contract with the H&RDA to administer this grant and I would like to applaud the Housing Authority for their great work over the years, we have been working with them since 1980 and just about all the applications they have submitted for us have gotten funded and they do a fantastic job of administering them. We get very little in the way of negative feed back from the state grant agency. This year the Town is requesting funding for the maximum amount of \$1 million and we're currently planning on applying for 2 components, housing rehab and a public facility/Montague Police Station project.

Informational sheet passed out

McHugh: We have been writing housing rehab programs in the county since 1978 and we generally offer 0% deferred payment loans to people who are low to moderate income. People apply for the loans from us and we put them through an application process to see that they qualify and then we inspect the houses, and write up what needs to be done to bring the house up to code, building, electrical, plumbing, fire codes and all kinds of regulations we abide by, including lead paint removal. We don't do additions, remodeling projects. This year we are applying for 2 units and we have 2 consecutive years of programming going on right now and FY06 and FY07 grant for a total of 15 units in those two grants combined and based on the number of people we have in process right now and the number of people on a waiting list, we felt like 2 was a comfortable number. The maximum loan amount would be \$35,000 if you had certain violations. Based on the numbers right now, we are applying for \$71,600 for those two units. Typically we are able to serve more people than our goal, so we're expecting to get 3 units out of that. Because Montague has a population of more than 5,000 we are required to have a target area for this activity and we have a map which is shown. One of the things we are required to do now because its Federal funding is do some levels of lead paint remediation on houses that were built prior to 1978. Discussion about lead paint remediation.

Discussion about grant

Abbondanzio: The big component of the FY 2008 grant is the public safety facility, or Police Station. We are asking for \$700,000. Of the national objective which then refers to low and moderate income on an area wide basis and because 57% of the entire town are low and moderate income. The town is applying for the GAP Funding for this new police station facility that will be located in the Turners Falls target area. The total project cost for the police station is averaging about 5.6 million and just a little less than that. When the committee for the public facility went to town meeting, they promised that this amount would be written down as much as possible to the grants that we might be able to obtain from the state or federal government. Because the Town has already succeeded in getting a \$200,000 state grant, this would bring an additional \$900,000 into the equation and hopefully write down the amount of money that the town has to borrow and the amount of debts that would occur as a result of the project. We are looking at a \$700,000

**SELECTMEN'S MEETING
TUESDAY, JANUARY 22, 2008**

#03

grant as that is the maximum amount that we can apply for. The facility would be located up on the corner of Turnpike Rd. and Turners Falls Rd. There is a lot of discussion going on between the town and the Turners Falls Fire District in terms of land and land transfers.

Discussion about inter-municipal agreement between the Town and the Fire District

Deb Radway: Building Committee Member: I would like to briefly return to the financial need that the Town has expressed here. We are asking for a \$700,000 grant; if we didn't get that grant, and we had to borrow the money, the cost of that money over a 20-year borrowing cycle, I think Frank and I worked it out last week, and it is about \$1.1 million. So it is another \$400,000 and over 20 years at interest rates, that is about an additional \$56-57,000 a year impact debt service to the Town. That is where you really see that impact coming and that is talking about half the Park & Rec budget, a Library, it is significant money that this Town does need; not this year, not next year or for the next 20 years, but forever. That is why getting this grant is such a significant financial impact to the Town.

Abbondanzio: I just completed a debt study for the capital improvements committee – we are looking at eleven million dollars, just between the Police Station Project and the Sewer project (CSO), so we are looking at our annual debt requirements going from something like \$250,000 a year up to around \$650,000 a year, so it is a huge increase. We are trying to limit that a little bit through this grant. It is very, very important that we get this grant.

Allen: Any other comments? Okay, I think at that point we'll declare this hearing closed. Thank you very much for the input. I think we have a great application here and certainly we know we have the need, both with housing and the Police Station projects, so we will look forward to a positive resolution on this.

Police Safety Complex Facility Building Committee

Pam Hanold: This is a request from the Montague Public Safety Building Committee for a motion to wit Montague Public Safety Building Committee respectively requests that the Montague Board of Selectmen grant the Committee the authority, responsibility and accountability for the execution of all financial matters relative to the design and construction of the Public Safety Facility up to the amount of \$5,595,000 as approved by Town Meeting. On the piece of paper that you have are several additional items the Committee talked about this and if this passes here, we would like to designate Chief Zukowski with the concurrence of one of the three Committee Chairpersons who sit before you here; Jay DiPuchio., Deb Radway and myself, Pam Hanold, to hold the signatory authority for execution and adjustment of contracts with a review and approval by the owner's project manager, which is the way he normally works and the architect on record where that is required. Our intent is that the Building Committee will be kept fully informed and consulted quickly and regularly in our meetings.

P. Hanold: Our suggestion now on the rest of this is that it can be shaped by whatever you prefer to feel most fully informed, because that is the intent behind this. We are anticipating that you would get a comprehensive monthly project status report. Since that will come from the OPM and Ted since they keep a running account of what is open and where the action is and who is reporting on it. I expect this list is going to be longer before it gets shorter, but my anticipation is that their report would have that kind of detail in it and it certainly can be shaped anyway that works best for any of you. That would be delivered to you 48 hours before some meeting in the month so that you would have time to look at it, and an opportunity to discuss it. The suggestion is also that Chief Zukowski would make a detailed report to you once a month with whatever the activity has been, and if that works for you and if you would like the other report to be coordinated with that meeting so that you would have people here for questions, or it can alternate or whatever you would like.

Pruitt: Chief Zukowski would be reporting differently from what the OPM is going to be sending us?

P. Hanold: Since we are appointing him as the designated signatory, we are making him kind of the point man. He is the one that will be handling not only these kinds of questions, but also how everyone calls this "the departmental finance billing" of the project and so he has a wider scope than just this.

**SELECTMEN'S MEETING
TUESDAY, JANUARY 22, 2008**

#03

This is just to make sure that you feel that you really know very closely what is going on and how it is working. I promise you and I am sure that I will get help with this that we will keep you fully informed. A lot of things that will come up that would fall under this are going to be things that will come up with sufficient lead time. You are going to know about them in plenty of time to have any consulting or opinions expressed to the committee. This allows us to make sure that if something comes up that could slow us down, that we minimize that impact as much as we can.

Radway: Is it possible that we could get the minutes posted on to the Town website as well?

Allen: That is something that was asked as a link.

P. Hanold: The suggestion was that if we could get a link on the Town website, then people could use that link to connect to the Macquire website and that way they would keep it up and running and putting things on it.

Discussion about website connection

Ross: Support for this plan and hearing about it and just seeing how this committee is functioning from day one, obviously responsible, obviously candid, and sharing every step with us, and with other appropriate parts of town to make things work, so the confidence is there. My concern, when I spoke to the Fire Chief earlier today, and in Frank's presence, in the approvals and change orders that come up what I think would be most worrisome for you and us, should there be cost differences in the various change orders that would in anyway push the projects at maximum spending limits and I think, that people said that we will have heads up. My sense is that the Maguire Group is obviously really sensitive to this because they are going to either end up getting paid quickly or paid less quickly. It is in their interest to keep us all really informed by how things are going budget wise to avoid any surprises.

P. Hanold: This authority would not exceed what the town has already passed, so we are working within the framework. Part of that framework contains some contingency money that is there should we need it because things cost more. That is a large piece of the administration. One interesting thing is that last week the architect, the owner's project manager, the clerk of the works, and a cast of several others mentioned were going carefully over the design and checking with some specifics. They found some changes that they are making at the very front end before this design goes out. It sounds like about as many of them save money and come even as cost money and I think all together the general feeling was we were probably coming tighter. That was an interesting thing to see because it tells me how carefully the OPM is looking out for our interests. We challenged him on his flexibility because the committee discovered a week and a half ago that there is a date that we weren't aware of that has to do with when the funding comes through for the Block Grant. So the time line that we have been working with is unlikely to be able to be adhered to as closely. That was the time line when we did the contract negotiating before Christmas. We have had an opportunity to speak with the OPM and the architect and find that without costing more money they are willing to adjust things within their time lines to still fit within our contract. Both are important.

Ross: The amount of work that you and the other committee members have spent on this, is enormous, detailed, thoughtful and critical. I am very grateful for all your dedicated hard work. As people can imagine there are going to be other projects on our agenda that could be very similarly detailed and time-consuming, like the Strathmore, like getting through this budget season, like figuring how we are going to pay for all this stuff. So thank you.

Abbondanzio: It would be helpful if we had an on-going snapshot of how each change order relates back to the original contract price on a monthly basis if he showed what percentage of contracts they do, based on the allocated change orders because typically there is a rule of thumb, like what is a good contract in terms of percentage of contract that has allocated change orders, just to give us a good running account of something that could be easily accessible.

**SELECTMEN'S MEETING
TUESDAY, JANUARY 22, 2008**

#03

Radway: I think you are going to get that in the Owner's Project Managers Budget Report.

P. Hanold: We will ask him to make sure that that is easy to ascertain.

Radway: That will be blown out more by the Chief's report when he specifically talks about the change orders.

P. Hanold: I have to follow up with what Al is saying not only has it been a very committed committee in putting a lot of time in. We did a real push before Christmas and people gave time to make sure we could do these contracts, and that includes the Board of Selectmen, but it is the committee that has an uncommonly broad variety of skills, so as a committee to be consulted in this area, I think it is a really impressively ranged committee and I'm very pleased.

Ross: So the memorandum of understanding really kind of takes the property and then kind of specifies what the Fire District is going to be responsible for; cost wise and what the Police Department in Town is going to be responsible for – exactly what the numbers to be inserted in there can't be put in at this point, but you are happy with as much information as you have received so far.

John Reynolds: Assuming I get the next step – yes.

Pruitt makes a motion that the Board of Selectmen grant the Committee the authority, responsibility and accountability for the execution of all financial matters relative to the design and construction of the Public Safety Facility up to the amount of \$5,595,000 as approved by Town Meeting. Seconded by Ross. Allen stated that we have been given the authority to do this by Town Meeting. Motion was approved unanimously Pruitt – Aye, Ross – Aye, Allen – Aye.

Polling Location Petition

Removed from this agenda and will be on next week's agenda.

Airport Policy Discussion

Since this topic is scheduled for 8:15 PM we will wait to discuss it at that time.

Request to Put a Sign – A. H. Rist Insurance Agency, Inc

Allen: Request from A. H. Rist Insurance Agency, Inc. to place a wooden free standing sign about 3 ft. x 2-1/2 ft with a changing message in the grass area in front of their building at 159 Avenue A, Turners Falls, which would be removed obviously at certain times. It would be on-going daily from 8:30 AM – 5:00 PM Monday through Friday. It has been approved for location and signed by David Jensen, our Building Inspector.

Ross: Is there a pattern, precedence or a guideline if many businesses want to do this?

Allen: We have approved others, basically they are temporary though, no permanent signs. As long as they go through the building inspector and it has been approved, and unless someone has an issue, then I think we move along with it and then we address it if there is a problem. I don't think we have ever had a problem, have we Frank?

Abbondanzio: This is a good instance where the sign is pretty tasteful and fits in with the area. It fits in with the historical district and the size requirements.

Ross: If it turns out that it is a clutter factor or a safety factor or the sidewalk being blocked

Pruitt made a motion that we license Charles A. Donovan of A. H. Rist Insurance Agency, Inc. of 159 Avenue A, Turners Falls to place a wooden sign as described in his paperwork on the grassy area in front of his office building on Avenue A. and that it would be there from 8:30 AM – 5:00 PM, Monday through Friday. Seconded by Ross, approved unanimously – Pruitt – Aye, Ross – Aye, Allen – Aye

**SELECTMEN'S MEETING
TUESDAY, JANUARY 22, 2008**

#03

Sewer Abatement Correction

Abbondanzio: Abatement for 144 Seventh St. needs to be corrected due to an error in calculating the amount of the abatement. The previously recommended and approved abatement was \$293.46. The corrected abatement should be \$297.36 – a difference of approximately \$4.00.

Pruitt makes a motion to approve the corrected abatement in the amount of \$297.36 for 144 Seventh St. Seconded by Ross. Approved unanimously Pruitt – Aye, Ross – Aye, Allen – Aye

Program Income Hearing, RiverCulture

Abbondanzio: Here is a handout for you. Basically what we are recommending is that the Board allocate the RiverCulture match for two years. It was not done prior to the grant going in. It is \$20,000 – in the first year and \$15,000 in the second year. So this is an allocation of over two years for a total of \$35,000.

Allen: It is such a great program. It has made tremendous stride and more than I think we had hoped that it would.

Pruitt makes a motion that we approve or match for two years for River Culture in the amount of \$35,000 for the current year and the year after. Seconded by Ross. Approved unanimously Pruitt – Aye, Ross – Aye, Allen - Aye

Allen: That currently leaves \$94,894.03 in that account.

Updates

- The Professional Brotherhood of Police Officers is requesting that we initiate police contract discussions. The sessions will be starting fairly soon.
- We received a copy of a DVD from the MMA and this is all about the revenue sharing program of the state vs. towns. How important it is that the state take on a revenue sharing contract with the communities to make sure that the towns/cities get enough money to operate. MMA wants these to be shown on cable TV to educate people on what local aid does for communities. This program is where they look at the growth in revenue and they allocate a pre-determined percentage of it to towns and cities. They have a more predictable flow of revenues – it works really well when you are generating new sources of revenue – more money is coming into the picture and income tax revenues are growing. It also shows how the towns are totally dependent on taxation end up hurting a lot, when they have to cover all the growth and don't get the money they need from the state.
- We will be having a special Town Meeting tomorrow night at 7 PM in the Turners Falls High School.

John Reynolds: It has come across my desk at the CAC that some folks are upset by the rapid rise in the basic rates of COMCAST to the folks in the community. These rates are varied by towns. It was requested that maybe the Selectboard would be willing to back a letter for the folks in town saying that it would be nice if we could stop the rise. The people getting the basic rates cannot afford it as it keeps going up at 15-16%.

Allen: So the rates vary by town as to what the basic rate is. It would be interesting to find out their rationale for it.

John Reynolds: I don't think we have to explore too much on that one. I was under the impression that it is suppose to be a flat rate, but it has not been over the last few years, it has been rising steadily, along with everything else. We are attempting to collect information from various towns in this county and I think it is a good suggestion that the Selectboards in the towns contact COMCAST.

Allen: Would you like to bring us this information at our meeting in two weeks? Our meeting is in January and the meeting for all the selectmen in the county is going to be on March 31st and that would be a good time to discuss the COMCAST rate issue.

**SELECTMEN'S MEETING
TUESDAY, JANUARY 22, 2008**

#03

Airport Special Town Meeting Article Discussion

Allen: Peter, we did get this from you about mowing, equipment. I thought I would be a good start to address that. Originally it was like \$100,000 but this looks like more specific.

Mike Sweeney: When we originally submitted the special article it was a lower number than \$100,000, but something had occurred and we weren't sure right at the time we were getting ready to go to press we were getting to believe that the prices were somewhere between what we had and 100 total. So we put the 100 in as our request so that we would have a cap and within a couple of days we did get the actual numbers, but we were past the post on the article. So what you have in front of you is the economic request that we will be making. We will be putting forth an amendment to clarify the actual numbers.

Allen: How come the annual costs look like they will come out to the same amount, because you are going to do it not through 2 vendors?

Sweeney: Instead of subcontracting it out to people who own their own equipment and paying them not only for their time but the use of their equipment as well, this equipment will be the airports equipment and the only variables that will now be in place is labor which we were thinking would be \$17.50/hour and fuel and maintenance. What we're saying here is between the airport manager's hours and his allocation of time and additional hours we would have to subcontract, we believe we could do it within our current budget we have in place for this task, even though the physical size of the task has grown. We didn't anticipate this magnitude of mowing as being part of the requirement from the Natural Heritage until we got the permit the middle of last summer. The state has some extra funds available so we believe they will fund this request and we will fund the difference from our enterprise fund, not from taxation. The U.S. Dept. of Agriculture has a wildlife habitat incentive program that we'll also become qualified for and they will assist as well in economically managing the habitat paying for items such as mowing, stumping, burns, tree removal, shrub removal and they will pay for it on a 75/25% basis, they being 75%. They will ask us to enter into a contract with them for a minimum of 5 years that we will maintain the airport. That is okay, because the permit we have from Natural Heritage says we will maintain the airport. This is a good compliment of different interests that are going towards the same purpose.

Further discussion about equipment to be purchased, storage, mowing and snow plowing.

Airport Policy Discussion

Allen: We spoke with Mr. Welch today and stated that we sent a letter to him saying that we are getting all this contradictory information, because you can ask the same question to someone, yet people hear it differently. The only way we could know for sure what their requirements would be and this would be apropos whether we have jeopardized the grant, which is really the bottom line. We had a conference call which resulted in Mr. Welch coming out here February 25th with his lawyer. We are planning on a late afternoon or maybe evening meeting. We would ask everyone to put their questions together so that we could consolidate all the questions to ask Mr. Welch and Mass Aeronautics; therefore everyone would hear the same answer.

Abbondanzio: We would like to have the questions one week ahead of time to consolidate them.

Allen: We thought if we sent in questions ahead, please get them to the Selectmen's Office. We will pull them together and send them out to him. He was under the impression that his lawyer had already responded to our letter, which isn't the case. He said that he did believe that by adding two members to the AirCom that we were re-organizing. Usually they would have wanted to hear this before we took any votes, but I mentioned that we had a couple of choices. We could rescind our vote, ask you if it was OK and then vote again or we could just tell you this is what we've started doing and this is what we are going to do. He said okay, so I said which, and he said B. He is talking to his lawyer and we informed him that if his lawyer thinks differently, let us know and then we will do whatever we have to do. At his point we will continue on with what we are doing and will keep them informed of our plans. We did say to Mr. Welch that the big reason was that with the five members that we have now that one member has moved

**SELECTMEN'S MEETING
TUESDAY, JANUARY 22, 2008**

#03

out of town, the Airport Commission cannot vote. He said this wasn't good and it makes it a dysfunctional Board. We are looking for a broader representation but we also want to insure that enough people could vote on all matters. They are pretty flexible, in spite of what they have written. Mr. Welch seemed quite reasonable. We won't rush into anything, but will wait to get answers from the two of them on issues so we're not going to far down the road.

Pruitt: Sounds like we could replace the person who is gone on the Board, so it is no longer dysfunctional.

Golrick: I haven't received any resignation at this point. Again I know what the existing past practice is and it still prevails until the policy overrides that. So we can still have a quorum until we start getting into a situation where someone is absent and we want to talk about tenant issues. Then it becomes difficult because our two existing tenants have to recuse themselves and that would put us in a position where we can't take up tenant issue business, but on most of the other topics we can. With Brian recusing himself for being out of town because of money issues, there are still four of us, as long as it is not tenant related.

Pruitt: So he is still attending the meetings?

Golrick: Yes

Allen: There is nothing in Mass General Laws that says somebody who lives out of town can't vote, but that is what past practice has been. If we have a specific policy, then that takes precedence.

Golrick: It makes it clear and simple for everyone, and eliminates the confusion. On Friday afternoon I spoke with Al and he asked me if I heard, and I hadn't. Later on that afternoon, Wayne Curshner, from Mass Aeronautics called and spoke with me. He is the chief legal counsel from Mass Aeronautics. It was a general discussion which didn't leave me with a sense that he was overly concerned. He was trying to gather information and try to understand the five villages of the Town, and how the Town of Montague is set up.

Discussion

Discussion about whether or not to have a straw poll at the Special Town Meeting on Wednesday about having a policy that allows non-residents to be on Town Boards and Commissions and whether or not they could vote on financial issues for the town. Ross

Tape #2

Brief discussion about past practice, by-laws, voting and financial matters.

Discussion regarding the airport, regionalization and residency requirement for being on committees.

Pruitt: It seems as though you started the conversation saying that Town Meeting has the authority over the finances and that they could certainly vote it up, even if we voted it down, no matter what we recommend. It's pertinent that we would ask the people at Town Meeting, because ultimately it comes down to how will the airport manage the finances in the best manner possible to satisfy Town Meeting.

Ross: Town Meeting votes on the approval of awards that involve expenditures of money. In terms of guidelines and regulations that might involve voting on financial issues in a committee, that is Town Council or Select Board. Am I wrong in that?

Abbondanzio: As long as you don't go to the next step which is to adopt by-laws which says that we are going to be handing over how the appointment process works for the Airport Commissioner will be done by Town Meeting. The Town Meeting will say NO. The seven members all have to be from town.. Basically what you would be doing in that case is giving your authority over to Town Meeting

**SELECTMEN'S MEETING
TUESDAY, JANUARY 22, 2008**

#03

Ross: We have the responsibility for regulations and appointments.

Discussion continued regarding the requirements for people on Boards.

Ross: I don't think that we should bring the airport issue up at the Town Meeting.. There needs to be some work in handling out the details, and how it would be presented at Town Meeting.

Pruitt: There is a lot of work to be done on this issue, so obviously we need to appoint a committee.

Allen: Should we develop a policy that allows non-residents on town boards and voting on financial matters?

Pruitt: I like that.

Ross: Going to Town Meeting with an airport related resolution at this point is a little premature.

Pruitt makes a motion that we propose the following question to Town Meeting: Moderator, Committee: Should we develop a policy that allows non-residents on town boards and allows them to vote on financial Matters? This question to be asked at the Special Town Meeting tomorrow evening. Motion seconded by Allen. Motion was approved, 2-1. Pruitt – Aye, Ross – Nay, Allen – Aye.

Ross: There was a suggestion that the non-residents be allowed to just vote.

Discussion followed regarding allowing non-residents to be on **B**oards and to vote on financial issues.

Mike Sweeney: I will inform all the involved parties regarding the airport meeting on February 25th, which is the tentative date, and when we have a time, we will include that. I will e-mail all the preliminary information to them.

Abbondanzio: We actually have a time set already since the NAC said 4 o'clock on the Monday, the 25th.

Mike Sweeney: So that is 4 o'clock on Monday the 25th here in this meeting room. Questions by Friday, the 15th to the Town Selectmen's secretary.

Lynn Reynolds: How many members are now on the Airport Commission?

Discussion followed regarding board members, seats and quorum.

Pruitt made a motion to adjourn the meeting, Seconded by Ross. Approved unanimously by Pruitt – Aye, Ross – Aye, Allen – Aye.