

**SELECTMEN'S MEETING
MONDAY, November 17, 2008
UPSTAIRS MEETING ROOM**

Tape #46-08, #47-08

#33

Meeting was opened at 7:00 PM in the Upstairs Meeting Room. Present were Selectpersons Allen Ross, Patricia Pruitt; Patricia Allen, Town Administrator, Frank Abbondanzio; Administrative Secretary Wendy Bogusz; Ray Zukowski, Chief of Police; Gina McNeely, Director of Health, Arn Albertini, Greenfield Recorder; Hugh Massey, WHAI

Approve minutes of November 10, 2008

Pruitt makes the motion to approve the minutes of November 10, 2008. Seconded by Allen, Approved unanimously with spelling corrections. Pruitt – Aye, Ross – Aye, Allen - Aye

Dog Hearing, Maria Lonergan

Ross calls meeting to order at 7:04 PM. Introductions are made to Ms. Lonergan. All parties are sworn in.

Lonergan asks about discrepancy in number of bites, she is only aware of her dog biting Ms. Callahan's dog once. She goes over steps she is currently taking to prevent her dog from getting loose again. Her dog does not go outside without being on a leash, they do not leave their outside door open any longer.

Callahan: Was in her yard the first time when her dog was attacked. Her dog has been attacked 3 times by Lonergan's dog. She explains attacks on her dog. Ms. Callahan has asked the Lonergans to keep their door closed and not allow anyone except owners (adults) to walk this dog, not allow the dog to chase cats and keep the doors closed. The door continues to be left open and the daughter is still allowed to walk the dog.

McNeely: Received letter from Dr. Schmidt regarding bite wounds Callahan's dog received from Lonergan's dog and she said she would start the process for a vicious dog hearing since the Town no longer has an Animal Control Officer. I received a letter from Dr. Brown's office today regarding Lonergan's dog which will be put on record.

Discussion

Ross: We're faced with preventing this from happening again.

Lonergan will have her dog on a leash before opening the door, and only her partner, her and her 13 year old daughter will walk the dog.

Pruitt makes the motion to close the hearing at 7:35 PM. Seconded by Allen, approved unanimously. Allen – Aye, Ross – Aye, Pruitt - Aye

Pruitt makes the motion to allow Angie to stay with her owner with the conditions we discussed: A stronger swing door to be put in place, dog to be on a leash before coming outside, only to be walked by adults and family, require a basket muzzle on the dog when she goes out and the Board strongly recommends evaluation/training for the dog. This issue to be revisited by Gina McNeely in 2 months; it is also strongly recommended that the daughter be involved in the training process. Ms. Callahan to contact the Police Dept. or Board of Health immediately if she has a problem. Seconded by Allen, approved unanimously. Pruitt – Aye, Ross – Aye, Allen - Aye

Ross feels if the dog does well in the evaluation/training it might be possible for the muzzle to be removed

Jon Dobosz, Parks & Recreation Director, Program Updates

Dobosz: Goes over programs that are through the Parks & Recreation Dept. (see attached)

Ruth Nervig asks about using space at the park for the skate park. Dobosz responds by telling her the Commission hopes to use the space in question for parking and other improvements to Unity Park.

Dobosz announced that they have adopted the Montague Center playground equipment and he is working on the best way to remove it from it's current site. A location the P&R Commission is looking at putting this equipment is

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on the piece of Town owned property in Montague City near the bike path. Public Hearings on this space will be held sometime this winter.

Chris Janke, Suzee's 3rd St. Laundry, 1-day Liquor License, Entertainment License

Janke: This will be the same event as in the past, there will be an auction of the clothes worn in the fashion show the following week at the Rendezvous. This money will benefit the Brickhouse.

Pruitt makes the motion to grant a special license to the Rendezvous at Suzee's Third Street Laundry for a fashion show on December 6, 2008. Seconded by Allen, approved unanimously. Allen – Aye, Pruitt – Aye, Ross - Aye

Pruitt makes the motion to approve the application for an entertainment license for Suzee's Third St. Laundry on December 6, 2008. Seconded by Allen, approved unanimously. Allen – Aye, Pruitt – Aye, Ross – Aye.

Informational Meeting for Bar and Restaurant Owners, Closing Hours

Ross goes over the motion that was made on November 3, 2008 regarding the closing hours of bars and restaurants in Town.

Pruitt reads previous motion into the record

J. Sneider, Roadhouse: Doesn't feel he will know in advance if he will be off premises by 2:00 AM. What will the penalty be if they aren't off site at this time? Sometimes bands take longer to clean up as they also need to greet their customers.

J. Berger, Rendezvous: Feels 2:30 AM would be more reasonable as there is a lot of work to do at the end of the night.

L. Collins, Between the Uprights: Agrees, there is a lot of work to get done before going home and feels 2:00 AM is too early.

C. Janke: Inquires about the previous vote that was made on October 6th, wants clarification about that vote and asks about the procedures by which these votes become rules or laws that have to be abided by. He would like to have seen this gathering prior to the enactment of the regulations, so the discussion could have happened ahead of time. Area bars are competing with bars in Northampton who have a closing time of 2:00 AM

B. Holbrook: The problem is customers hanging out after they should be. We own our businesses or manage them, we shouldn't have to report to someone if we want to work in our establishment. If all you have in your business when you close is your employees, then they should be able to stay and do whatever it is they need to do for as long as it takes them to do it. It is your business.

Previous motion (October 6, 2008) and reason for it was read to the group.

Discussion about parking on Avenue A after 1:00 AM during parking ban.

Pruitt makes the motion that all bars and liquor serving establishments will stop serving alcohol at 1:00 A.M., patrons will be out of the bar by 1:30 AM and cleaning up and other staff work will be completed by 2:30 AM effective immediately. Seconded by Allen, approved 2 – 1. Pruitt – Aye, Ross – Aye, Allen – Nay

If there is abuse, this issue will be revisited. If the Chief has reasons to feel this is totally inappropriate the issue will be revisited and communicate this with everyone.

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Other

Use of Peskeompskut Park: Pam Kostanski, Montague Business Association

Pruitt makes the motion to approve the placement of the tree in the bandstand at Peskeompskut Park from December 13, 2008 through January 5, 2009, decoration of the tree will be from 4:30 PM to 6:00 PM on December 13, 2008. Tom Bergeron to provide estimate for the electricity used and will be reimbursed by the Montague Business Association. Approved unanimously

Use of Montague Center Town Common: Montague Center Fire Dept. Relief Assoc.

Pruitt makes the motion to approve the request for a crèche display on the Montague Center Common across from the Grange from December 7 through December 28, 2008 for the Montague Center Fire Dept. Relief Association. Seconded by Allen, approved unanimously. Pruitt – Aye, Allen – Aye, Ross – Aye.

Town Administrators Report

Program Income Hearing – Montague Center School Building Reuse Study

Pruitt makes the motion to approve \$20,000 from the Program Income account for the Montague Center School Feasibility Study. Seconded by Allen, approved unanimously. Allen – Aye, Pruitt – Aye, Ross – Aye.

Engineering Contract – FY09 Landfill Monitoring

Pruitt makes the motion to approve the Landfill Monitoring services from Tighe & Bond in the amount of \$11,900. Seconded by Allen, approved unanimously. Allen – Aye, Pruitt – Aye, Ross – Aye.

Reports are available for review if anyone would like to see them.

Sign SOMWBA Quarterly Report

Pruitt makes the motion to authorize Frank to sign the SOMWBA Quarterly Report. Seconded by Allen, approved unanimously. Pruitt – Aye, Allen – Aye, Ross – Aye.

Apply for Regional Planning Grant to Investigate the cost and benefit of expanding the Gill/Montague Regional School District to include additional Town(s)

The school committee chose not to apply for this grant. We will be joining with the Town of Gill

Pruitt makes the motion to approve Frank responding to the request for proposal from the Department of Elementary and Secondary Education. Seconded by Allen, approved unanimously. Allen – Aye, Pruitt – Aye, Ross - Aye

Adopt FY09 Spending Freeze for all but contracted Articles and Extraordinary Expenditures

Pruitt makes the motion approve the enumeration of items effected by the budget freeze/spending freeze as delineated in the letter dated November 17, 2008 from the Town Administrator to Department Heads. Seconded by Allen, approved unanimously. Allen – Aye, Pruitt – Aye, Ross - Aye

Schedule Special Town Meeting

Tentative date is scheduled for December 4th pending logistics. (This has changed to December 16, 2008)

District vote to be held on Tuesday November 18, 2008 at 6:30 PM

Pruitt makes the motion to close meeting at 9:30 PM. Seconded by Allen, approved unanimously.