

**SELECTMEN'S MEETING AGENDA
UPSTAIRS MEETING ROOM
1 AVENUE A, TURNERS FALLS, MA
MONDAY, April 9, 2018
-Subject to Change-**

Meeting was opened at 6:30 PM in the Upstairs Meeting Room. Present were Selectpersons Chris Boutwell (absent), Michael Nelson, and Rich Kuklewicz, Town Administrator Steven Ellis, and Executive Assistant Wendy Bogusz. Kuklewicz makes introduction and announces meeting is being taped.

Approve minutes of April 2, 2018 if available

Not available

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

Liquor License Hearing

Secondhand Smoke, Inc. d/b/a North Village Smokehouse, Sean C. Keller as manager, has applied for the transfer of the All Alcoholic Beverages Liquor License (Restaurant) from Pioneer Tavern, Inc., the licensed premises is located at 32 Federal Street, Millers Falls, MA

Kuklewicz reads public hearing notice into the record.

Sam Cohen, Chef and Partner, Sean Keller Managing partner, owner

Keller: In the process of putting in a new kitchen. It's going to be a Texas style barbeque bar/restaurant. Putting in 2 smokers outside, Implementing a new business plan, installing a restaurant, new booths, bands when we can.

Nelson makes the motion to transfer the all alcohol beverage license from Pioneer Tavern, Inc. to the Secondhand Smoke, Inc. d/b/a North Village Smokehouse, Sean C. Keller as manager at 32 Federal Street, Millers Falls, MA. Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz - Aye

Peter Chilton, Nova Motorcycle

Use of Public Property, (East alley between property at 151 3rd St. and ball field, also north alley to end of property): Vintage Motorcycle Road Rally and Ride, May 5, 2018, 8:00 AM to 8:00 PM

Nelson makes the motion to approve the use of public property to Peter Chilton, Nova Motorcycles for an event on May 5, 2018 for a Vintage Motorcycle Road Rally and Ride from 8:00 AM to 8:00 PM on the East alley between property at 151 3rd St. and ball field, also north alley to end of property. Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz - Aye

Kelly Lehtomaki, Newt Guilbault Little League

Use of Public Property, (TFHS, left onto Turnpike Rd; Right onto Montague Street, end at ball fields): Opening Day Parade for Newt Guilbault Little League, April 22, 2018, 11:00 AM to 12:00 PM

Nelson makes the motion to approve the request by Newt Guilbault Little League for use of public property (TFHS, left onto Turnpike Rd; Right onto Montague Street, end at ball fields) for the opening day parade on April 22, 2018 from 11:00 AM to 12:00 PM, police chief signed off on it, and the insurance has been received. Seconded by Kuklewicz, Approved unanimously. Nelson – Aye, Kuklewicz – Aye,

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Request for Transfer from the Reserve Fund

Request for \$2,000 to be transferred into ZBA Advertising account, present balance (\$693.42)

Nelson makes the motion to approve the Reserve Fund Transfer Request for \$2000 into the ZBA Advertising account. Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz - Aye

Request Town Clerk place the DPW Highway Garage article on the Annual May 21, 2018 Town Election as a ballot question

Nelson makes the motion to place the following DPW Highway Garage article on the Annual May 21, 2018 Town Election: Shall the Town of Montague be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bond to be issued for the purpose of planning, designing, permitting, constructing, equipping and furnishing a new public works facility, to be located on Turners Falls Road, and all other costs incidental or related thereto? Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Tom Bergeron, DPW Superintendent

Green Mountain Pipeline Services: Sanitary Sewer Rehab – Montague City Road and Upper Turnpike Inceptors, Request Time extension of two weeks, project substantially complete by April 20, 2018

Nelson makes the motion to authorize the 2 week time extension to Green Mountain Pipeline Services: Sanitary Sewer Rehab – Montague City Road and Upper Turnpike Inceptors, project substantially complete by April 20, 2018. Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz - Aye

Execute contract with Sandstone Construction, Inc. for the Montague ADA Sidewalk Improvement Project, \$53,446.20

Nelson makes the motion to execute the contract with Sandstone Construction, Inc. for the Montague ADA Sidewalk Improvement Project for \$53,446.20 (\$35,000 of the project to be paid for through an ADA Project Grant from the MA Office of Disabilities and the remainder will be paid for through State Chapter 90 money). Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz - Aye

Walter Ramsey, Town Planner

Brian Huntley, Engineer, Tighe & Bond, Corrective Action Design Permit Application for Sandy Lane Burn Dump

Ramsey: Phase 1 of the solar project off Sandy Lane is mechanically complete. The western array and landfill solar array. As part of the project, the Town had to get a post closure use permit to use the landfill for solar. In that permit from DEP, part of the permit was an obligation for the Town to make forward progress in regards to the burn dump which is not currently capped. The Town has contracted with Tighe & Bond to do the cap and we have a corrective action design application that has to go to the State and is due by June 1st. Tighe & Bond is producing the application as well as bid ready plans and specs for the cap. The plan right now in accordance with the 2015 RFP Kearsarge responded to, is they have been awarded the rights to develop the burn dump area for solar and are proposing a 2.7 mega watt solar array on the burn dump. They are going to conduct the capping and all the necessary site improvements

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that are required for solar and the expense for capping they will bare is going to be prorated from the cost at a fee that comes off of the per kilowatt hour basis they were approved for in 2015.

Huntley: Been working on this project on and off for a number of years now. There was an ISA, CSA & CAAA which are all the assessment processes that went around determining the limit of the landfill, the waste in the landfill some of the potential impacts to ground water, air and landfill gas. Essentially that all brought us into the concept we're looking at now which is a soil cap. The concept is to take the landfill that's there now, regrade it so the steepest slope is no larger than 3:1 which is a requirement of DEP and the top will be 5% cross slope which is a minimum requirement of DEP. Putting a soil cap on top with essentially low permeability but not as low permeability as clay or membrane as on solid waste landfill. We've also put in storm water measures to collect storm water capture on top of the cap and also looking to abandon underdrain that is draining leachate from the bottom of the landfill into the adjacent stream and wetland. Walter and I have been to DEP several times trying to come up with the least costly project for the Town; trying to come up with some creative ways to stage the project and what they have pointed us to is this design where they want to approve it all as one to see that the Town is at the table to commit to closing the landfill. They agreed in the course of issuing their Corrective Action Design Permit they are comfortable allowing a phasing approach and pushing the time frame out giving the Town the opportunity to appropriate money and do what they need to do to get the landfill closed. Estimating this is a \$2.5 million project.

Ramsey: Solar will be responsible for mowing anything in the fenced array area, we might be able to maintain for them to mow outside the fence; I think the town will have to maintain the storm water area.

- There will be 30 year post monitoring that will be done by DEP.
- Closing of the landfill reduces your liability.

Nelson makes the motion to authorize the chairman to execute the Corrective Action Design application to be submitted to DEP. Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz - Aye

Personnel Board

Review Cultural Coordinator Job Description

Ramsey; Part of the planning board budget I've requested the Cultural Coordinator position be created. They will report to Town Planner, 20 hours week, this needs to pass at Town Meeting, the position needs to raise funds for programming, would like to build out a 501c in the next year or two. This is the only option if we want this position in town

Kuklewicz feels RiverCulture has done great things for the town, but you should be prepared to answer difficult questions at Town Meeting, feels there is value in the position

Board will have to enter into an MOA with union to allow for establishment of the position

Nelson makes the motion to approve the Cultural Coordinator Job description as written. Seconded by Kuklewicz, approved unanimously. Nelson - Aye, Kuklewicz – Aye

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Consider Interim Recreational Marijuana Establishment License Application Policy

Ramsey: This came about in the last week, thought it would be prudent for the Town to have guidelines in place for other applications coming forward. This is inclusive to what the State requires. Goes over policy

Kuklewicz would like to see a frequently asked questions sheet. Direct people to the States website to do their due diligence

Nelson makes the motion to adopt the interim recreational marijuana establishment license application policy. Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz - Aye

Record of Executive Session votes taken at April 2, 2018 meeting

Nelson reads listing of Executive Session votes into the record (posted with 4/2/18 minutes)

Town Meeting Warrant – To approve and execute draft warrants, Attached hereto May 5, 2018 Special Town Meeting Warrant

Nelson makes the motion to endorse and add to the May 5, 2018 Special Town Meeting Warrant:

ARTICLE 1. To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$10,300 or any other amount for the purpose of funding the implementation of a collective bargaining agreement with the New England Police Benevolent 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. *Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz - Aye*

Nelson makes the motion to endorse and add to the May 5, 2018 Special Town Meeting Warrant:

ARTICLE 2. To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$28,300 or any other amount for the purpose of funding the implementation of a collective bargaining agreement with the New England Police Benevolent Association for Fiscal Year 2018, with increases to be paid retroactively to July 1, 2017, or to pass any vote or votes in relation thereto. *Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye*

Nelson makes the motion to instruct the Constables of the Town of Montague to post the May 5, 2018 Special Town Meeting Warrant with the articles as has been read. Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz - Aye

Nelson makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 1: To see if the Town will 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. *Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye*

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Nelson makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 2: To see if the Town will 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, or pass any vote or votes in relation thereto.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 3: To see if the Town will vote to establish the revolving fund set forth below for the fiscal year beginning on July 1, 2017 and to amend Article II of the Town of Montague General Bylaws by inserting a new section 7, pursuant to the provisions of Massachusetts General Laws Chapter 44, Section 53E½ as most recently amended by Section 86 of Chapter 218 of the Acts of 2016, establishing various revolving funds of the Town, specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend each fund, such bylaw to provide as follows:

Section 7: Revolving Funds

(a) There are hereby established in the Town of Montague pursuant to the provisions of Massachusetts General Laws Chapter 44, Section 53E½, the following revolving funds:

<u>Revolving Fund</u>	<u>Spending Authority</u>	<u>Revenue Source</u>	<u>Allowed Expenses</u>
Hazardous Materials Response Planning Committee (a.k.a. SARA Title III Committee)	SARA Title III Comm	Fees collected from individuals responsible for oil and hazardous material spills	For the purpose of cleaning up oil and hazardous material spills

(b) Expenditures from each revolving fund shall be subject to the limitations established by Town Meeting, and to any additional limitations as otherwise set forth in Massachusetts General Laws Chapter 44, Section 53E½.

(Emergency Management Director Request)

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 4: To see if the Town will, pursuant to the provisions of G.L. c. 44 §53E1/2 as most recently amended, to establish an annual spending limit of \$7,500 for the Town's Hazardous Materials Response Planning Committee (a.k.a. SARA Title III Committee) revolving fund, as listed in Article II, Section 7 of the Town's General Bylaws, entitled "Revolving Funds", which funds may be expended without further appropriation for the purposes defined therein, with such expenditure limits to be applicable for each fiscal year until such time as Town Meeting votes, prior to July 1 for the ensuing fiscal year, to increase the same; provided, however, that in accordance with state law, the Board of Selectmen, with the approval of the Finance Committee, may increase the limit for that fiscal year only, or pass any vote or votes in relation thereto.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

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Nelson makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 5: To see if the Town will vote to fix the salaries of all elected officials as required by law for the fiscal year beginning July 1, 2018, as set forth in Schedule I, Elected Officials, a copy of which is on file in the Office of the Town Clerk, or pass any vote or votes in relation thereto.
Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 6: To see if the Town will vote to fix the salaries of all appointed officials as required by law for the fiscal year beginning July 1, 2018, as set forth in Schedule II, Appointed Officials, a copy of which is on file in the Office of the Town Clerk or pass any vote or votes in relation thereto.
Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 7: To see if the Town will vote to amend the classification plan to add the position of Cultural Coordinator at Grade C as per a Memorandum of Agreement between the Town of Montague and the National Association of Government Employees (NAGE), or pass any vote or votes in relation thereto.
Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 8: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$9,400,018 or any other amount, for the maintenance of the several departments of the Town, said sums to be allocated in accordance with Schedule III, Budget, a copy of which is on file in the Office of the Town Clerk, and for any other necessary changes, or pass any vote or votes in relation thereto.
Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 9: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$2,017,231 or any other amount, for the purpose of operating the Water Pollution Control Facility and associated pumping stations, said sums to be allocated in accordance with Schedule IV, WPCF Budget, a copy of which is on file in the Office of the Town Clerk, or pass any vote or votes in relation thereto.
Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 10: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$97,375 or any other amount, for the purpose of funding the operations, maintenance, and debt service of the Colle Building, or pass any vote or votes in relation thereto.

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Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 11: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$51,039 or any other amount, for the purpose of operating the Turners Falls Airport, or pass any vote or votes in relation thereto.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 12: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$974,338 or any other amount, 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, or pass any vote or votes in relation thereto.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 13: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$9,811,160 or any other amount, 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, or pass any vote or votes in relation thereto.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 14: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$12,000 or any other amount, for the purpose of purchasing and installing a double door security entrance with window and/or camera system at Hillcrest Elementary School, including any and all incidental and related costs, or to pass any vote or votes in relation thereto.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 15: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$72,000 or any other amount, for Montague's share of purchasing and installing network controllers and related components that manage the HVAC and related systems to upgrade the Building Management Systems at the Great Falls Middle School and Turners Falls High School, including any and all incidental and related costs, or pass any vote or votes in relation to.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

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Nelson makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 16: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$30,000 or any other amount, for the purpose of purchasing and installing an intercom system at the Sheffield Elementary School, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Kuklewicz makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 17: 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 an intercom system at the Hillcrest Elementary School, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

Seconded by Nelson, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Kuklewicz makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 18: To see if the Town will vote to authorize the Board of Selectmen to enter into a lease with the Gill Montague Regional School District not to exceed fifteen (15) years and on such terms and conditions as the Board of Selectmen deems appropriate to allow the District to use the following described property, or pass any vote or votes in relation thereto.

The land together with the buildings presently known as the Hillcrest School (shown generally on Montague Assessor's Map 10, Lot 49), and the Sheffield School (shown generally on Montague Assessor's Map 6, Lots 323, 324 and 325, and Map 10, Lot 22), along with the current and future improvements thereon, including, but not limited to, all buildings, fixtures, recreational areas, athletic fields, sidewalks and parking areas.

Seconded by Nelson, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Kuklewicz makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 19: 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, for the purpose of purchasing, equipping and making major repairs to WPCF vehicles and equipment, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

Seconded by Nelson, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Kuklewicz makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 20: 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 new control panels and alarms at the Denton Street and Montague Center Pump Stations, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

Seconded by Nelson, approved unanimously. Nelson – Aye, Kuklewicz – Aye

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Kuklewicz makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 21: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$521,000 or any other amount, for the purpose of purchasing and installing a solar array at the Water Pollution Control Facility at 34 Greenfield Road, including any and all incidental and related costs, that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow such sum under G.L. c. 44 §7, or any other enabling authority, and to issue bonds and notes therefor, 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 hereunder in accordance with G.L. c. 44 §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; and further to authorize the Board of Selectmen to accept any State, Federal or private grant monies available for the project and to enter into any agreements and execute all documents necessary to effectuate the purposes of this vote, or pass any vote or votes in relation thereto.

Seconded by Nelson, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Kuklewicz makes the motion to endorse and add to the May 5, 2018 Annual Town Meeting Warrant:

ARTICLE 22: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$30,000 or any other amount, for the purpose of designing and constructing exterior renovations to the Senior Center building at 62 Fifth Street, including but not limited to replacing the steps and landing, constructing side rails for same, and constructing a roof over the new landing, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

Seconded by Nelson, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, Annual Town Meeting Warrant:

ARTICLE 23: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$100,000 or any other amount, for the purpose of purchasing, equipping, and making major repairs to DPW vehicles and equipment, including any and all incidental and related costs, or pass any vote or votes in relation thereto.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, Annual Town Meeting Warrant:

ARTICLE 24: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$15,000 or any other amount, for the purpose of funding information technology equipment, parts, accessories, software and installations, or pass any vote or votes in relation thereto.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

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Nelson makes the motion to endorse and add to the May 5, Annual Town Meeting

Warrant:

ARTICLE 25: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$7,000 or any other amount, for the purpose of developing a master plan for Montague Center Park improvements, or pass any vote or votes in relation thereto.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, Annual Town Meeting

Warrant:

ARTICLE 26: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$30,000 or any other amount, for the purpose of purchasing services, materials, equipment and supplies to retain, preserve, manage and store Town maps, including the payment of all costs incidental or related thereto, or pass any vote or votes in relation thereto.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, Annual Town Meeting

Warrant:

ARTICLE 27: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$150,000 or any other amount, for the purpose of repairs to and maintenance of the Colle building, including the payment of all costs incidental or related thereto, or pass any vote or votes in relation thereto.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, Annual Town Meeting

Warrant:

ARTICLE 28: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$37,811 or any other amount, for the purpose of increasing the GMRSD Stabilization Fund, or pass any vote or votes in relation thereto.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, Annual Town Meeting

Warrant:

ARTICLE 29: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$121,726 or any other amount, for the purpose of increasing the Town General Stabilization Fund, or pass any vote or votes in relation thereto.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, Annual Town Meeting

Warrant:

ARTICLE 30: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$76,294 or any other amount, for the purpose of increasing the Town Capital Stabilization Fund, or pass any vote or votes in relation thereto.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

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Nelson makes the motion to endorse and add to the May 5, Annual Town Meeting Warrant:

ARTICLE 31: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$50,000 or any other amount, for the purpose of increasing the Town OPEB Trust Fund, or pass any vote or votes in relation thereto.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, Annual Town Meeting Warrant:

ARTICLE 32: To see if the Town will vote to accept the provisions of G.L. c. 64L, §2, authorizing the Town to impose a local sales tax at the statutory rate of three-quarters of a percent (0.75%), on the sale of restaurant meals originating within the Town, or pass any vote or votes in relation thereto.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, Annual Town Meeting Warrant:

ARTICLE 33: To see if the Town will vote to authorize the Board of Selectmen to convey a permanent Historic Preservation Restriction, under the provisions of G.L. c.184 §§31-33 on the Colle Opera House Building located at 85 Avenue A in Turners Falls, shown on Montague Assessor's Maps as Map 04, Lot 0062, to the Commonwealth of Massachusetts, by and through the Massachusetts Historical Commission, on such terms and conditions as the Board of Selectmen deems appropriate; provided, however, that the authorization granted hereunder shall not be exercised unless and until the Town of Montague is awarded a grant from the Massachusetts Preservation Projects Fund, or pass any vote or votes in relation thereto.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, Annual Town Meeting Warrant:

ARTICLE 34: To see if the Town will vote to amend the By-Laws of the Town of Montague to change the title of the "Board of Selectmen" to the "Select Board" as follows, or pass any vote or votes in relation thereto.

1. Amend Article III, Section 4, by changing the title from "Selectmen" to "Select Board" and by adding the following clause to the beginning of the section: "There shall be a Select Board of three members elected for three-year overlapping terms. Such Select Board shall have all the powers and duties of a Board of Selectmen for purposes of any and all federal, state and local laws referring to Board of Selectmen or Selectmen, including but not limited to the Massachusetts General Laws, Code of Massachusetts Regulations and any bylaws and special acts applicable to the Town of Montague"; and
2. Delete the words "Board of Selectmen" and "Selectmen" in each place in which they appear and insert in their place the words "Select Board".

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

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Nelson makes the motion to endorse and add to the May 5, Annual Town Meeting Warrant:

ARTICLE 35: To see if the Town will vote in accordance with MGL c. 40, § 15A to transfer from the board or commission having the care, custody, and control of a parcel of land containing 2.91 acres of land, more or less, located on Federal Street and identified on the Town Assessor's Maps as Map 48, Lot 0148, further described in a deed recorded with the Franklin Registry of Deeds in Book 3733, Page 177, and being "Lot 2" on a plan recorded with said Registry in Plan Book 105, Page 57 to the Board of Selectmen for the purpose of conveyance, and further to authorize the Board of Selectmen to convey all or a portion of said parcel on such terms and conditions as determined by the Board of Selectmen to be in the best interest of the Town, or to pass any vote or votes in relation thereto.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to endorse and add to the May 5, 2018, Annual Town Meeting Warrant:

ARTICLE 36: To see if the Town will vote to adopt a Resolution relative to energy policy: A resolution calling on the Massachusetts Legislature to Establish Greenhouse Gas Emissions Pricing to Curb Climate Change

**A Resolution Calling on the Massachusetts Legislature to
Establish Greenhouse Gas Emissions Pricing to Curb Climate Change**

WHEREAS, the scientific consensus firmly holds that catastrophic climate change is taking place and the burning of fossil fuels, with its resultant greenhouse gas (GHG) emissions, is among the chief contributing factors; and

WHEREAS, the climate crisis is a serious threat to current and future generations here in the Town of Montague, and all over the world; and

WHEREAS, free markets operate most efficiently when individuals and corporations are responsible for the costs of their actions, and these markets offer a fertile environment for creation of economical services and products in the areas of conservation, efficiency, and renewable energy, to allow us to wean ourselves off fossil fuels; and

WHEREAS, price changes shift behavior by establishing GHG pricing that can spur innovation of more climate-friendly ways to provide and consume goods and services; and

WHEREAS, prices for fossil fuels do not reflect the cost of health impacts, climate change, and other environmental degradations that are associated with pervasive fossil fuel use and GHG emissions; and

WHEREAS, state and federal policies have differentially subsidized renewable and non-renewable energy; and

WHEREAS, Massachusetts is one of nine New England and mid-Atlantic states which in 2014 implemented a market-based policy, the Regional Greenhouse Gas Initiative, to reduce greenhouse gas emissions in the electric sector, which has successfully contributed to substantial decreases in greenhouse gas emissions in the electric sector; and

WHEREAS, in June 2017, the Massachusetts legislature's Joint Committee on Telecommunications, Utilities and Energy held a hearing on GHG emissions pricing proposals at which the testimony was strongly in favor of adding a form of GHG emissions pricing for all other (non-electric) energy sectors; and

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WHEREAS, British Columbia implemented GHG pricing in 2008 and, according to a 2014 report in the *Economist*, British Columbia's economy is as strong as, and arguably better than, the rest of Canada while the GHG pricing is successfully driving environmental gains¹; and

NOW THEREFORE BE IT RESOLVED that the Town of Montague, Massachusetts strongly urges the Massachusetts Legislature to pass legislation that puts a gradually increasing fee on GHG emissions from fossil fuels to:

- Increase market incentives for non-electric energy sectors to lower greenhouse gas emissions;
- Make individuals and corporations accountable for the costs of their actions when they choose to use fossil fuels;
- Level the economic playing field between fossil fuels and conservation, efficiency, and renewable energy sources; and

BE IT FURTHER RESOLVED that we strongly support a provision in the GHG pricing legislation that ensures that the most economically vulnerable residents of Massachusetts are not caused any undue financial hardship because of the law.

BE IT FURTHER RESOLVED that the Administrative Assistant to the Town of Montague shall cause a copy of this resolution to be sent to MA Governor Charles Baker; State Treasurer Deborah B. Goldberg; MA Senate President Stanley C. Rosenberg; MA Speaker of the House Robert A. DeLeo; MA State Representative Stephen Kulik; MA Senate Chair of the Joint Committee on Telecommunications, Utilities and Energy (TUE), Senator Michael J. Barrett; House Chair of the TUE Committee, Representative Thomas A. Golden, Jr.; Senate Vice Chair of the TUE Committee, Michael Brady; House Vice Chair of TUE Committee, Frank A. Moran; all members of the Joint Committee on Telecommunications, Utilities and Energy: Senators Marc R. Pacheco, Anne M. Gobi, Joan B. Lovely, Bruce E. Tarr; and Representatives James M. Cantwell, Carolyn C. Dykema, Nick Collins, Josh S. Cutler, Adrian Madaro, Daniel Cahill, Joan Meschino, Leonard Mirra, and Randy Hunt; U.S. Senator Elizabeth Warren; and U.S. Senator Ed Markey, or pass any vote or votes in relation thereto.

Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye

Nelson makes the motion to instruct the Constables of the Town of Montague to post the May 5, 2018 Annual Town Meeting Warrant with the articles as has been read. Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz - Aye

Town Administrators Business

Discussion of Labor Counsel Options in FY2019

Ellis: Cost of representation has been concern of Finance Committee and town meeting. Labor Counsel now charges \$190/hour and after 69.5 hours we will be charged \$235. There will be 3 contracts to be negotiated next year. I'd like the Board to ask me to invite KP Law to make a pitch and there may be the argument to bring it all in under one roof at a rate beneficial to the Town. We do not have long range contracts with Counsel, they are at will arrangements. I've already shifted some of the work to them to keep the budget in line.

The Board agrees it would be a good idea to have KP Law come in.

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Consider and Sign letter of Support for the Town's Petition to the General Court for one additional all alcohol on premises liquor license to be exercised and located at 42 Canal Road, Turners Falls

Right now state is hearing arguments from our elected representatives who are providing letters of support. We don't think it will fail approval but I've drafted a letter of support for you to review and send.

Nelson makes the motion to send the letter of support to the General Court regarding one additional all alcohol on premises liquor license to be exercised and located at 42 Canal Road, Turners Falls. Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz - Aye

Southworth Bankruptcy Proceedings

A lien was placed on the property and real estate tax, Turners Falls fire district, sewer fees and water

Last Thursday, the bankruptcy court moved to dismiss the case from bankruptcy because bank that was underwriting continued operation of the business during bankruptcy, pulled the plug. I understand By Line Bank of Chicago is one of the major holders of debt from the firm's ongoing operations. What this really means is Southworth and By Line will be looking to move whatever assets from the building that they can and I believe By Line has a right of first refusal. We have an executive session scheduled as we need to discuss how we manage ourselves and consider whatever litigation might be required. As of today the Town is owed \$322,309.

Eileen Seymour: We placed a lien on the property when it was in bankruptcy which was our legal right, and now that the bankruptcy has been lifted we will talk to Counsel in executive session and have conversations about our next steps.

Topics not anticipated in the 48 hour posting requirements

None

Executive Session under G.L. c.30A, §21(a)(3) to discuss potential Litigation concerning Baltazar; votes may be taken.

Executive Session under G.L. c 30A, §21 (a)(3) to discuss potential litigation concerning Southworth Company's Bankruptcy filing, Votes may be taken

Anticipated executive session pursuant to G.L. c. 30A, §21(a)(7), to comply with, or act under the authority of any general law; specifically to review draft minutes from executive sessions conducted on dates set forth in the attached listing

The Chair deems having the executive session may be detrimental to the public good.

Nelson makes the motion at 8:35 PM to go into Executive Session under G.L. c.30A, §21(a)(3) to discuss potential Litigation concerning Baltazar; votes may be taken; Executive session under G.L. c 30A, §21 (a)(3) to discuss potential litigation concerning Southworth Company's Bankruptcy filing, Votes may be taken and Executive session pursuant to G.L. c. 30A, §21(a)(7), to comply with, or act under the authority of any general law; specifically to review draft minutes from executive sessions conducted on 10/23/17, 10/30/17 and 12/18/17. Seconded by Kuklewicz, approved unanimously. Nelson – Aye, Kuklewicz – Aye,

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Documents and Exhibits:

- Secondhand Smoke, Inc. d/b/a North Village Smokehouse, Sean C. Keller as manager, has applied for the transfer of the All Alcoholic Beverages Liquor License (Restaurant) from Pioneer Tavern, Inc., the licensed premises is located at 32 Federal Street, Millers Falls, MA
- Peter Chilton, Nova Motorcycle, Use of Public Property, (East alley between property at 151 3rd St. and ball field, also north alley to end of property): Vintage Motorcycle Road Rally and Ride, May 5, 2018, 8:00 AM to 8:00 PM
- Kelly Lehtomaki, Newt Guilbault Little League, Use of Public Property, (TFHS, left onto Turnpike Rd; Right onto Montague Street, end at ball fields): Opening Day Parade for Newt Guilbault Little League, April 22, 2018, 11:00 AM to 12:00 PM
- Request for Transfer from the Reserve Fund, Request for \$2,000 to be transferred into ZBA Advertising account, present balance (\$693.42)
- Tom Bergeron, DPW Superintendent, Green Mountain Pipeline Services: Sanitary Sewer Rehab – Montague City Road and Upper Turnpike Inceptors, Request Time extension of two weeks, project substantially complete by April 20, 2018
- Contract with Sandstone Construction, Inc. for the Montague ADA Sidewalk Improvement Project, \$53,446.20
- Review Cultural Coordinator Job Description
- Interim Recreational Marijuana Establishment License Application Policy
- Corrective Action Design Permit Application for Sandy Lane Burn Dump
- Record of Executive Session votes taken at April 2, 2018 meeting
- Town Meeting Warrant – To approve and execute draft warrants, May 5, 2018 Special Town Meeting Warrant and May 5, 2018 Annual Town Meeting Warrant
- Sign letter of Support for the Town's Petition to the General Court for one additional all alcohol on premises liquor license to be exercised and located at 42 Canal Road, Turners Falls