

**SELECTMEN'S MEETING  
MONDAY, JANUARY 7, 2008**

**#01**

#01-08, 02-08

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; Robert Trombley, David Jensen, Tim Van Egmond, Chris Mason, Jean Golrick, John Reynolds, Lynn Reynolds, Pam Hanold, John Hanold, David Detmold, Arn Albertini, Hugh Massey.

**Approve Minutes of December 10, 17, 18, 21 and 24, 2007**

*Ross makes a motion to approve the minutes of December 10, 2007 with corrections. Seconded by Pruitt, approved unanimously. Ross – Aye, Pruitt – Aye, Allen – Aye*

*Ross makes a motion to approve the minutes of December 17, 2007. Seconded by Pruitt, approved unanimously. Ross – Aye, Pruitt – Aye, Allen – Aye*

*Ross makes a motion to approve the minutes of December 18, 2007. Seconded by Pruitt, approved unanimously. Ross – Aye, Pruitt – Aye, Allen – Aye*

*Ross makes a motion to approve the minutes of December 21, 2007 with corrections. Seconded by Pruitt. Approved unanimously. Ross – Aye, Pruitt – Aye, Allen – Aye*

*Ross makes a motion to approve the minutes of December 24, 2007. Seconded by Pruitt, approved unanimously. Ross – Aye, Pruitt – Aye, Allen – Aye*

**Special Meetings for the Police Building Committee** –discussions over hiring a project manager and then the architect. Contracts were reviewed and signed during the meetings of December 21 and December 24. This has been done and they are on board.

Wendy has done a fantastic job in catching up with the typing of the meeting minutes.

**Liquor License Hearing (continued from 12/17/07)**

**F. L. Roberts and Company, Inc., 132 Third Street, Turners Falls, MA**

Letter received from F. L. Roberts stating that they are aware of the concerns raised by the Chief of Police as well as other abutters and the client would like some time to talk with the Police Chief and others to find out what their issues are. They have asked for another continuation. So at this point we will continue this hearing to March 3, 2008 at 7:01 PM.

**Robert Trombley, WPCF Superintendent**

**Sewer Abatements** give someone who receives a sewer bill a chance to question their bill and if they feel firm grounds to contest it, there is a form that can be filled out which has to be completed within 30 days of the billing date. If it outside that 30 day period, then there is nothing we can do, relative to state statute because that is the time they give us. This is for the first half year bill and the same rules will apply for the second half bill. If purchasing a home, make sure you speak with the real estate agent and or attorney that you talk to the previous owner about their sewer usages – their water consumption because their usage is based on the water consumption. Robert Trombley thanked Tina Tyler because she did 95% of the assembly of the spread sheet and the research for all the sewer abatements. List of abatement requests is as follows:

*Ross makes a motion to approve an abatement for 85 Turners Falls Road of \$47.79. Seconded by Pruitt approved unanimously. Ross – Aye, Pruitt – Aye, Allen – Aye*

*Ross makes a motion to approve an abatement for Laurel Park of \$7,428.69. Seconded by Pruitt, approved unanimously. Ross – Aye, Pruitt – Aye, Allen – Aye*

*Ross makes a motion to approve an abatement of \$191.16 for 75 Fifth Street. Seconded by Pruitt, approved unanimously. Ross – Aye, Pruitt – Aye, Allen – Aye*

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*Ross makes a motion to approve an abatement of \$111.51 for One Avenue A.. Seconded by Pruitt approved unanimously. Ross – Aye, Pruitt – Aye, Allen – Aye*

*Ross makes a motion to approve an abatement of \$440.73 for 170 Avenue A.. Seconded by Pruitt, approved unanimously. Ross – Aye, Pruitt – Aye, Allen – Aye*

*Ross makes a motion to approve an abatement of \$162.49 for 385 Turners Falls Road. Seconded by Pruitt, approved unanimously Ross – Aye, Pruitt – Aye, Allen – Aye*

*Ross makes a motion to approve an abatement of \$32.00 for 96 – 98 Third Street. Seconded by Pruitt, approved unanimously Ross – Aye, Pruitt – Aye, Allen – Aye*

*Ross makes a motion that there will be no abatement for 7 Greenfield Road, but the second half of the year an adjustment will be made to 44,000 gallons. Seconded by Pruitt, approved unanimously Ross – Aye, Pruitt – Aye, Allen – Aye*

*Ross makes a motion that there will be no abatement for 26 Main Street.. Seconded by Pruitt, approved unanimously. Ross – Aye, Pruitt – Aye, Allen – Aye*

*Ross makes a motion to not award an abatement to the current bill, but adjust the second half to 8,000 gallons for 6 Poplar Street. Seconded by Pruitt, approved unanimously Ross – Aye, Pruitt – Aye, Allen – Aye*

*Ross makes a motion to not award an abatement to the current bill, but to adjust the second half to 15,000 gallons for 107 – 109 Avenue A. Seconded by Pruitt, approved unanimously Ross – Aye, Pruitt – Aye, Allen – Aye*

*Ross makes a motion to approve an abatement of \$293.46 for 144 Seventh Street. Seconded by Pruitt, approved unanimously. Ross – Aye, Pruitt – Aye, Allen – Aye*

*Ross makes a motion to approve an abatement of \$42.48 for 801 Fairway Avenue.. Seconded by Pruitt, approved unanimously Ross – Aye, Pruitt – Aye, Allen – Aye*

*Ross makes a motion to not award an abatement at 43 Central Street.. Seconded by Pruitt, approved unanimously Ross – Aye, Pruitt – Aye, Allen – Aye*

*Ross makes a motion that there will be no current abatement for 4 Ross Avenue, but an abatement for the second half will be considered using gallons to be determined. Seconded by Pruitt, approved unanimously Ross – Aye, Pruitt – Aye, Allen – Aye*

**UPDATE ON SEWER PROJECTS**

Trombley: They will start driving sheeting for the new wet weather chlorine contact tank. A couple geotechnical engineers, Paul Gilbert will be there and a bunch of other people as well. They are going to put some vibration monitors in place and some of the structure measurements have been taken on the structures in the building. They are going to put some indicators on the building –on some of the existing cracks –so that through the period of vibrating the sheeting into the ground we won't cause anymore damage or if we do we will know about it. They have originally scheduled three weeks to do the sheeting, but I heard that it might be completed by this Friday (1/11/08), Right now when the sludge trucks come in they have to back in the lower access road – they can't make the full circle around the plant. The original estimate was for four months—it is not a safe situation for either the driver or the guys in the street, who have to watch out for traffic. The quicker they can get this done the easier it will be.

Allen: Do they think it might go because there is no frost in the ground.

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Trombley: There is frost in the ground. They have done some excavation to set up some of the steel sheeting guides that they have to have and found that the frost isn't as deep as it could be. They are supposed to start on Tuesday (1/8/08) morning.

**TIM VAN EGMOND AND CHRIS MASON, MONTAGUE CENTER RESIDENTS**

Van Egmond: They are interested in a program whereby residents or businesses in a town make tax deductible contributions to the New England Wind Fund. Some of the money goes to the town in the form of a grant for energy efficiency and for renewable energy projects. Some of the money also goes to energy efficiency and for renewable energy projects for people in low income housing throughout the state.

Mason: If anyone gives money to this fund their donation will be matched (100%) by the Mass. Technology Collaborative . If I donated \$100, they would set aside an additional \$100 that would go to the Town of Montague to be used however they wanted for energy efficiency renewal energy project. They would also then set aside an additional \$100 to be used in low-income renewable energy situations. We are a little unclear for some of the information we are getting currently as to whether it would be 100% match or a bit less. We are going to talk to them about it. A lot of towns have taken advantage of this and we are going to try to promote it in Montague. In many towns because of the utility that is supplied, they have an option to buy a higher percentage of renewable energy that a national grid provides. Someone could buy a 50 per cent renewable or even more, – then if you buy whatever national grid is buying (hydro, wind, solar or whatever) and selling it to you, then that would get a match. Montague does not have that option because WMECO does not have that as an offer. Instead you can contribute to the New England Wind Fund and by donating to this fund you are strongly promoting the use of wind energy in New England. Whenever you produce electricity from a renewable energy source you produce two things: you produce electrons and you produce a benefit to society. That benefit to society is actually recognized and has a monetary value and that is called a renewable energy credit, and you can get a certain amount of money for that. When someone is going to put up wind energy site they go to the bank and say that they are going to make money by selling electrons and make money by selling my renewable energy credits. The bank will ask who is going to buy it from you. If the person going up can say that I have this big pot load of money that they are going to buy renewable energy credits from me, then they will be able to get financing for their projects much easier, and that is what this is. You are simply buying future renewable energy credits from wind energy power plants and it just primes the pump to get the projects going in New England.

Van Egmond: So the money going into this program supports that, but the towns decision of how best to use that money isn't restricted to wind energy, as a matter of fact it could be devoted to programs to increase efficiency, as to more insulation in public buildings.

Discussion

Van Egmond: We will be looking to get this information on the Montague Cable Channel and on the MontagueMA.net website at a later date. People are also able to contact us directly. Tim Van Egmond can be reached at 367- 9304.

Mason: The website Mass. Tech. Collaborative has on this is [www.masstech.org/cleanenergy](http://www.masstech.org/cleanenergy) Brochures were left on the radiator in the front of the building.

Ross suggests these individuals contact the school about the program.

**Jerry Jones, Status of Removal of Paper at Strathmore Mill**

Allen asks how the progress was going?

Jones: We have been at it for six weeks, but three of those weeks have been holiday weeks; Thanksgiving, Christmas and New Years. We have shipped out three or four loads so far and have prepared another two loads. Starting this Thursday, we will have six trucks lined up , so that will make it nine or ten loads. A lot of the material cannot be just thrown on the truck, we have to package it up and have to inspect the loads. We have prepared four loads of that type.

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Discussion about size of deliveries and future shipments.

Jones: This week will be three and then next week will be three. So that is a total of nine. Then we think there is about 12 loads left.

Discussion about removal of paper on the fourth floor and how it got damaged during the fire and when the sprinkler system burst. Further discussion about future loads to be removed.

Golrick: I have spoken to both Jerry Jones and Joe. It is my understanding the most eastern dock on the southerly base which is adjacent to the utility way is available, has been used and have photos of to prove this. My question is to Mr. Jones, Joe or maybe to the Town, maybe Mr. Jensen why is there a need for the Town to trespass on private land to use a dock that is not owned by the Town to remove this paper? We are not opposed to the paper removal, but we are opposed to trespassing.

Allen: I believe we have actually received a letter from you to that effect, haven't we?

Golrick: We asked for a return receipt but were declined.

Allen: I would gather that we are working on that.

Jensen: First of all, the dock isn't owned by you. The land under it is and there is a permanent easement for it's presence and use. I believe if you feel otherwise, then it is wrong.

Golrick: Then what about trespass?

Jensen: It is not a trespass to use an easement for the specific purpose for what it is for.

Golrick: Mr. Jones – you are aware that you are trespassing when you cross over the outside legal area to go to the loading dock. You have to cross over our land to get to the dock.

Allen: I think that this is something that since you are already going through legal channels that you need to continue it that way rather than this meeting. I don't think that it puts anybody else in a position to respond to.

Golrick: We can't get a license, we can't arrange something, that has not been very cooperative of the Board. That is why I want at a public meeting to ask and to begin opening that conversation because it has been shut down by the Board.

Jensen: On the contrary, it has been quite the opposite. We have been attempting to accommodate you. Mr. Jones has moved whatever paper was on that easement that should not have been there. We have maintained it to your benefit, I might add. You are the one who is putting up fences and other things, attempting to obstruct the rightful use of that easement. It is hard to infer that we are being uncooperative, and I suggest that you are being uncooperative.

John Reynolds: I hear the numbers about the paper, and I was under the impression that all the paper would go, now I hear that there is about 45% of it sitting on the fourth floor. Isn't all the paper from zero to the fourth floor suppose to be removed?

More discussion about the amount of paper still in the building and how much needs to be removed.

John Reynolds: Does any of this include taking the water off the frozen roof lines over where the paper is?

Allen: There are several issues: one is removing the paper and the other is getting the sprinkler system finished, which should be completed in the next week or two. David is working to get the proposals to fix those roofs.

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Discussion about what to do with the wet paper

John Reynolds: Could the Town be liable in anyway if these people using the paper decide to come back to us since there are no contracts or written agreements for protection?

Jensen: The town's position with Mr. Jones and I think all will agree that the paper is Mr. Jones' property. Any communication that we have had with Mr. Jones is that he has certainly indicated that it is his stuff. He has some right to retrieve it under controlled circumstances and that is what he is doing. We have never made a claim to own it or any of his personal stuff. We have taken possession of the building, I don't think they would ever come back on the town.

Allen: If we can have a visit or a report in two weeks, that would be great. 25% of the paper is gone, the next 30% is at the door in that week.

Mr. Jones: When we are there we are working hard, stacking them up, packaging them. I have never done that work before; I was kind of slow in the beginning, but am now picking up speed.

Allen: Thank you both for coming in. Joe thank you also. Thanks David.

**Town Administrator's Report  
Sign Warrant for Presidential Primary**

*Ross makes a motion to approve the warrant for the Presidential Primary on Tuesday, February 5<sup>th</sup>, 2008 with the polls being open from 7 AM to 8 PM. Seconded by Pruitt, approved unanimously. Ross – Aye, Pruitt – Aye, Allen - Aye*

**Right of First Refusal – Meadow Road, Map 41, Lot 27**

Abbondanzio: This is land owned by Alice and Bernard McGowan Both the Conservation Commission and the Planning Board have reviewed the town interest to exercise its' right to purchase that land and the right of first of first refusal. It is recommended to the board that we not exercise that right. This is a 4.8 acre parcel.

*Ross makes a motion that the town not exercise its' Chapter 61A Right of First Refusal to the land owned by Bernard and Alice McGowan on Meadow Road, identified on the Assessors' Map 41, Lot 27 Seconded by Pruitt. Ross mentioned that this was discussed a few weeks ago in detail but they didn't have the ConCom's approval for it to vote on it. Approved unanimously, Ross – Aye, Pruitt – Aye, Allen – Aye*

**Announce Annual Town Meeting**

Abbondanzio: The last couple of years, the town has held their annual town meeting in June. There has been some discussion between the finance committee and the board as to whether it would make sense to continue to do that. Again it is the Selectmen's call under the town by-laws – it is the first Saturday in May when we have the meeting unless otherwise voted by the Board of Selectmen. So I guess it is the Selectmen's call as to whether they want to keep it as the first Saturday in May or do it differently this year.

Allen: I personally think we ought to go with the first Saturday in May and if necessary, continue it to June. It seems as though our town employee departments, particularly Carolyn's office run into a fair amount of trouble holding it later in June and we ended up having to extend our money issues longer than we have to. Usually we are able to settle in May so that we don't run out of money at that time. I don't see that it would help anybody very much starting it in June. That is my thought.

Hanold: One of the original ideas is to let the legislature get their act together so that we could know what we have to work with.

Pruitt I think that if we called for May we can always continue it in the following month or is there a certain time that you have to hold it?

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Hanold: You've got to make sure that you hold it in time for Carolyn to close the books, since you can't do anything until it is actually closed out. We would be holding her up.

Pruitt: She did manage to do it last year, so it certainly isn't impossible. I wouldn't see going past the 30<sup>th</sup> of June. We ended up having to use a lot of reserve fund money because we had run out of money, and also we thought the schools could use the extra time to come in with a real budget and we didn't hear anything.

Abbondanzio: You build a budget and I don't think you wait on state aid numbers. The state aid has the best case scenario that helps you get level funded. Waiting isn't going to be a real benefit. So you are going to vote on the budget in May. If there is any additional money you know you always have the option of coming back and voting in your supplemental appropriation. In that case you are dealing with a whole new cast of characters potentially who are town meeting members and will be voting for the first time. That is the way the town by-laws are set up.

Pruitt: What do we do if we get less than level-funded?

Abbondanzio: We go back and reduce our expenses.

*Ross makes a motion that we schedule the annual town meeting for Saturday, May 3<sup>rd</sup>, 2008 and setting the date for article submission as February 15, 2008. Seconded by Pruitt. Approved unanimously Ross – Aye, Pruitt – Aye, Allen – Aye.*

**Award Proposal for Environmental Permitting for the Public Safety Facility**

To be discussed at a later date

**Special Town Meeting January 23, 2008**

*Ross makes a motion to approve articles one through eleven as written except a change in Article 11 from forming to performing for the Special Town Meeting to be held on January 23, 2008. Seconded by Pruitt, approved unanimously. Pruitt – Aye, Ross – Aye and Allen – Aye.*

**UPDATES**

Hanold: Is it the position of the board to help fund our financial problems by shifting to a general health care plan that is financially beneficial to the Town?

Allen: Yes, we are all looking to cut costs and have a health plan that will not harm employees but will financially benefit the Town and save us money.

L. Reynolds: Do we have consensus for cost containment between management and staff? Do we have this desire?

Allen: I think we do. I think that right now people are trying to find out exactly what is out there. We are looking obviously at GIC, we are looking at Municipal Blue to see what is there and when it comes back, people will have a much better idea .

L. Reynolds: So there is a sense that we have to do something.

Allen: I think there is, whether the Unions will vote for that, who knows. It depends what we can offer and what they feel is in everybody's best interest. We can't speak for the Unions at this point.

L. Reynolds: I understand that, but I think it would be good to know that as soon as possible, because we can't work on what we perceive is a problem unless we have that same perception.

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Allen: I think that everybody recognizes that we are having a terrible time with our finances, and one of the big issues is health care costs. I do believe that everyone knows that. Last spring one of our Unions was up for contract and in talking with them we did get them to put in a clause for the one year contract that said they would be willing to look at GIC.

Discussion

*Ross made a motion to go into Executive Session for two real estate issues and will come out to adjourn the Executive Session and the regular meeting. Pruitt seconded the motion, approved unanimously..  
Pruitt – Aye, Ross – Aye, Allen – Aye*

8:50 PM.