

SELECTMEN'S MEETING
Monday, January 24, 2011
UPSTAIRS MEETING ROOM

02

Meeting was opened at 7:00 PM in the Upstairs Meeting Room. Present were Selectpersons, Mark Fairbrother, Chris Boutwell, Patricia Allen, Town Administrator, Frank Abbondanzio ; Administrative Secretary, Wendy Bogusz; Arn Albertini, Greenfield Recorder, Jeff Tirrell, WHAI (absent), Janel Nockleby, Montague Reporter

Allen announces meeting is being taped

Approve Minutes of January 10, 2011

Minutes of January 10, 2011 not available

Michael Longo, Airport Manager, Airport Updates

Longo: Construction at airport is done until Spring. The last thing that was done at the Airport around December 10th was when the electrical vault was delivered, but there were issues with compatibility between the vault and the pad that was poured. We are in the process of having it resolved, MassDOT is working with the Engineer, contractor and sub contractor in resolving that. Who is in error is being debated at the moment and this will need to be fixed. Planes can land during the day, but not at night due to no lights. We will resume in the spring with the rotating beacon, finish the taxiway on the three port and other matters. The Tribal agreement is still in negotiations between the tribes and the FAA and ourselves. It is starting to pick up again and we will be having discussions with Counsel on that in about a month.

Robert Trombley, WPCF Superintendent, CSO & WPCF Upgrade – Rotary Press & Garage Extension, Change Order #1

Trombley: Last project of the CSO program construction. It is the Garage Extension and Fournier Rotary Press Installation. The original contract price is \$962,354 and we are looking at tonight a request for change order #1 which would increase the price \$5,480.45 which would consist of some credits but they are offset by other expenses. The big item is the grounding grid that we have to connect into with the new electric and new garage extension to keep the facility grounded. They couldn't find the original grounding grid from the 1982 construction which is where they had planned to land the ground cable. So we have to run the grounding wires all the way back into the new control panels that we just put in in the operations building and that added \$4,754.40.

Fairbrother makes the motion to authorize change order #1 in the amount of \$5,480.45 on contract #2010-1 for the CSO project. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen – Aye

Other

Trombley: We advertised for operators position at the plant and it closed on Saturday; we received 20 applications, some are licensed, a majority are not. What we are looking for is someone who has a lot of mechanical experience, a lot of hands on experience. Because we are a small staff, we need someone who is an all around operator. Planning on interviewing 6 people out of the 20.

The Town will be receiving an award at the New England Environmental Water Pollution Conference on Wednesday.

Jay DiPucchio, Request for signature on letter regarding Effects of the Scheduled Closure of Vermont Yankee on Workers, Residents and the Environment of our Towns and Cities

DiPucchio: I've been involved in a variety of ways over the years with the effect of employee dislocation as a result of industrial change. I've become aware of this effort of the Green Coalition to try to draw attention to this issue with respect to Vermont Yankee as the recipient of the decommissioning process. At some point, sooner or later it will close. Right now it looks like March 2012 would be the earliest date but there is still a wrestling match going on with the NRC, the Vermont State Government, the Legislature of the Governor, the individuals coalition around the area. With all that said and set aside this is a large employer, there are many employees in our area that will be affected that closure and affected by it over a decade by the closure process. As this was brought to my attention, I thought I would bring it forward to you for your consideration. I think it is a fair and moderate statement asking for your support and sending along to the appropriate authorities and join with other Boards of Selectmen in the region to communicate this message and taking some kind of proactive measure.

Allen gives a brief review of items in the letter.

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Fairbrother makes the motion to endorse and sign the proposed letter of January 24, 2011 to the owner and the VT legislator and others as presented from the Board of Selectmen. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

Other

DiPucchio: Two caucus coming up the Democratic Town Committee will be holding a caucus for selecting delegates for the State wide Democratic convention which is held in June. This will be held on February 15th at 7:00 PM. Any democrat registered as of December 31 is welcome to attend and run for one of the seats. We have scheduled the democratic town officers election caucus on Thursday, April 7th for caucuses nomination of democratic nominees to run for town office in municipal election on the Third Monday in May. Anyone who wants to run needs to be a registered democrat as of December 31 and need to send written a written notice to Jay by the Saturday prior to that caucus in order to be placed on the caucus ballot.

Allen: If there is a republican caucus with the same information, if someone brings it to us, we would be happy to share the information.

Town Administrators Report

Memo from Deborah Picking regarding permission to conduct research on town land and update on progress of her field research

Fairbrother: She came before us a year or so ago and wanted to do a study in a vernal pool which was located between the back part of the old transfer station area. We gave her permission to do that and I asked as a condition that when she begins to get product out of her study that we get a copy of what she produces and that is what most of the pages here are. She has identified two other spots she would like to expand the study to three different spots. I walked up there with her a month or so ago and didn't see any problem with it and she wanted to make sure she had permission to do everything she was doing. Map is hard to read, Fairbrother explains where they are. The locations are not anyplace we would want to develop; they are all untouched natural areas that are not developable or in the way of anything so the results wouldn't be unfortunate if she found something exciting, that is fine.

Fairbrother makes the motion to extend Ms. Pickings permission to previously given permission and extend it to the two sites that she has requested provided she sign the Hold Harmless Agreement. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

Appointment to Building Maintenance Position at DPW

Bergeron: Interviewed 5 guys for the position. This person does not have a class II license, which is why the past two people have left to use their license. Said he has no issues working overtime

Fairbrother makes the motion to appoint James Whiteman to the Building Maintenance position effective January 31, 2011, this is a UE position Grade 3, Step 1 at the rate \$14.45. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

Other:

Bergeron: Receiving a lot of calls about intersections, we are out everyday cleaning intersections, the corners especially. I have received compliments at home from people saying what a good job we are doing on our roads and we are not out of money yet.

Resignation/Appointment to Energy Committee

Fairbrother makes the motion to remove Jay Blier from the Energy committee effective immediately with thanks for his efforts. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

Boutwell makes the motion to appoint Susan Conger to the Energy Committee until June 30, 2011. Seconded by Fairbrother, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen – aye

Mike Nelson, Montague Spring Parade Committee, Parade Route Change Request

Nelson: This is in regards to the Spring parade on April 9th. Following our last meeting I met with Chief Zukowski and for various different reasons we decided a different route would be more appropriate for the parade. Rather than going through the downtown area, the route would start at Sheffield Elementary School, left onto Montague Street following the length of

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Montague Street and take a left at the Police Station, go up to the end of Turnpike Road take another left, go down Millers Falls Road then take a left back to Sheffield School. It is a 3 mile route all together. Pros of having the parade go this route given. Still hope to have food vendors along the parade route

Fairbrother makes the motion to amend the previously permitted parade to the new route which is starting at Sheffield School, down Montague Street to the end then left onto Turnpike Road to Millers Falls Road, Millers Falls to Scotty's onto High Street and then onto Crocker Avenue and ending back at Sheffield School on April 9, 2011. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

Town Administrators Report (continued)

Amend Inclement weather policy

Allen: The issues came up about when someone has a scheduled vacation or sick time and then suddenly Town Hall is closed, do they still use their vacation or sick time or not. The other issue is if somebody then comes into work because they have to go to court or have an inspection or something required on the day Town Hall is closed, how is that time treated? The last time we had a snow day there were 5 people affected by the first issue and some affected by the second issue. We try very much not to close the Town Hall, we're trying to get people to come in later or something, but we did close it that day because the Governor had actually instituted the State of Emergency for the whole state.

Fairbrother: On item #1 if you have previously scheduled a vacation day or sick day for that day, it doesn't affect you, so it doesn't change you still take your vacation day or your sick day.

Boutwell has no comment on issue #1. Regarding if someone has to come in for an inspection or court, and I know housing court is on Fridays, my feeling is if hours charged to other leave, to me that should be additional comp time not other leave. How many hours does one have to work before they are eligible for comp time.

Abbondanzio: There are no specific number of hours, I don't think we have a four hour minimum or anything like that.

Allen: It is mostly for Department Heads, which to me since this is talking about the inclement weather situation, I was thinking that it should only be department heads who don't need supervision, because if someone comes into the Town Hall to work and they are not a Department Head, there should be someone else here; and there is probably no need for someone who is not a Department Head to ever come in on a day when it is inclement weather. On the other hand, I can't imagine there is no one else who is going to court probably or an inspection other than certain individuals.

Fairbrother: As far as the example Chris just gave, that is a Friday and we are closed anyways. If that was on another day of the week and one of our people had a court appearance, if court is in session, they go. You're closing Town Hall. If your business you had is still happening you go.

Allen: It sounds to me like we have a couple of sentences where we probably need to include in the inclement weather policy, more to make it clear so people know in the future and it sounds to me as though we all agree that if you already have a scheduled vacation or sick time for a day the Town Hall is closed, then it doesn't apply to you.

Fairbrother makes the motion that if you already have a scheduled vacation or sick time scheduled for a day the Town Hall is closed, then it doesn't apply to you. Seconded by Boutwell, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen – Aye.

Allen: If someone needs to come into work on a day Town Hall is closed for inclement weather that would only apply to Department Heads and would come under comp time

Fairbrother: I'm not even sure why we should do that. If Town Hall is closed and you're not coming in for a previously scheduled meeting with someone, stay home.

Allen: We do have Department Heads that come in because it is a time when no one else is around, that they can get a lot of work done.

Fairbrother: It bothers me that if we close Town Hall, we're closing Town Hall basically just for safety considerations and somebody comes in there getting....

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Allen makes the motion that if a Town Employee has a required reason (such as court or an inspection) to come into work when the Town Hall is closed for inclement weather, the time will be treated as comp time. Seconded by Fairbrother, approved. Boutwell – Aye, Allen – Aye, Fairbrother – Nay

Boutwell makes the motion that the Town website be added to the Inclement weather policy. Seconded by Fairbrother, approved unanimously. Fairbrother – Aye, Boutwell – Aye, Allen - Aye

Other

Abbondanzio: As you know our Town Counsel, Rich Bowen submitted his resignation and no longer works for Kopelman and Paige. Greg Corbo of Kopleman and Paige called me and offered to do a transition meeting to talk about all the legal issues that we have before the Town and discuss where we are going with it. While I was at the MMA Conference I ran into Rich Bowen who now works for another legal firm and offered to sit down and talk with us if we are interested in continuing working with the individual. He indicated that he could be competitive and obviously it would involve looking at the firm a little more closely.

Allen: If we think we want to listen to Rich and to Greg, do we need to open it up to others as well?

Abbondanzio: You actually don't have to do that under Chapter 30B with legal, that is exempt. As I understand back in 1993 when we first hired Kopelman and Paige, we may have just hired Rich Bowen but it is Kopelman and Paige that is appointed yearly. Since we obviously have a lot of irons in the fire right now it would make it very difficult to change, so that is a huge issue if you want to consider going to another firm.

Allen: I would actually like to talk to both of them.

Boutwell would also and possibly have Rich continue to work on the cases he has been working on.

Allen: He tends to be our more general person, he's tended to give us to other people on specific issues. I think it would be interesting to see what they both have in mind.

Fairbrother: You mean talk to both of them as in kinda of representing options for us as far as our Town legal representation down the road goes?

Allen: Yes.

Fairbrother: Sure

John Reynolds: Since you are considering changing forces, is there any advantage to us trying to find a more local firm?

Allen: I had wondered about that, I've had people approach me before saying if we ever did, they would be interested. I know one firm that might be good.

Fairbrother: Reappointments come up for the end of June, so despite what we may do in the short term, we could still have a lively competition with an eye towards possible changing this year.

Abbondanzio: It probably makes more sense to try and wrap up what we have now and get closure on a lot of them.

Fairbrother: If we are going to genuinely look at changing our legal firm, than it should be a more orderly procedure with an end date of reappointment or appointment for July 1.

Further discussion about changing legal firms.

Fairbrother: I'm still going down two different tracks here, we need to take care of our immediate short term legal needs, but I think we should also use this as an opportunity to put out a request for proposals for July 1st.

43D

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Walter Ramsey received a letter back from the Executive Office of Housing and Economic Development regarding the additional money that wasn't spent on the 43D technical assistance grant funds of \$25,000 and they have approved the reallocation of those funds. Walter had asked that they be spent in a certain way; \$14,900 for the canal district access planning and feasibility evaluation, \$1,000 for legal services for ownership and maintenance of the pedestrian foot bridge, services to develop, implement and marketing strategy budget \$6,200 of that \$3,700 to hire a graduate student and \$2,500 for a website to produce the print materials and promote the RFP; then \$2,950 was going to be for environmental consulting services for the Strathmore Mill opinion on remediation. The point is the \$25,000 has been approved.

Updates

Abbondanzio: On Friday the Governor spoke to the MMA and it wasn't as bad news as we might have thought. The cut in general assistance, lottery was going to be 7% and we were already planning on a 10% cut. Of course the next day I heard Murphy who is the House Ways and Means Committee Chairman say that was just a proposal, so it has a long way to go until it is finalized. It is the Governor's proposal and he also proposed a significant increase in Chapter 90, which is really good news so we'll see some additional money on Chapter 90 as well. On the school aide he is proposing level funding so that holds up to Chapter 70 level funding. It doesn't satisfy the expectations of the compactor that the Finance Committee has been negotiating. They are trying to encourage regionalization so there is regionalization grant money that will be available to encourage those kinds of initiatives. Technical regionalization and efficiency incentive grant program, establishment of a new municipal procurement program which will look at ways to help towns bid things out in the aggregate with a lot of other towns. If you pooled all the information available together, you could probably do a lot better in terms of the bidding. The health insurance was one of the bigger items. Basically what they are proposing is to require communities to have a plan that is equivalent to the GIC otherwise they would force Towns to join the GIC, they haven't worked out the details yet. Montague is part of one of the better health cooperatives; since 2007 our increases have only averaged about 2.7% per year which is incredible. All this discussion about the GIC did, was it put a lot of pressure on the Hampshire Group and some of the other larger groups that provide insurance so they have become very competitive which is good news. This year it is 3% for HMO's and PPO's and level funding for the MEDEX for the third or fourth year in a row, which is incredible. The other thing is, I ran into the representative from Mass. Development who did the development tour out here and he offered to disseminate our RFP when we get it done to his 200 key people.

J. Reynolds: Asks about development of Montague Center School, how is it being marketed?

Allen: We will be holding off until spring when we will send out another RFP.

Fairbrother: We sent out an RFP once, but got no responses.

Abbondanzio: 400 cards were sent out; thinks the market is very poor right now.

J. Reynolds: expresses his concern about the roof and some of the other items over there. How is it holding up on heat bills.

Abbondanzio: The school is fine, a roof has recently been put on and the building is in fairly decent shape.

Topics not anticipated covered in the 48 hour posting requirement

*Fairbrother makes the motion to adjourn the meeting at 8:06 PM. Seconded by Boutwell, approved unanimously.
Fairbrother – Aye, Boutwell – Aye, Allen - Aye*