

**SELECTMEN'S MEETING
UPSTAIRS MEETING ROOM
1 AVENUE A, TURNERS FALLS, MA
MONDAY, March 23, 2015**

Meeting was opened at 7:00 PM in the Upstairs Meeting Room. Present were Selectpersons, Mark Fairbrother, Chris Boutwell, Mike Nelson (arrives late at 7:10 PM); Town Administrator, Frank Abbondanzio , Executive Assistant, Wendy Bogusz

Nelson makes the motion to appoint Mark Fairbrother as acting Chair until Mr. Boutwell arrives. Seconded by Fairbrother, approved. Nelson – Aye, Fairbrother – Aye

Approve minutes of March 9, and 16, 2015

Nelson makes the motion to approve the minutes of March 9, 2015. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother - Aye

Nelson makes the motion to approve the minutes of March 16, 2015. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother - Aye

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.

J. Burek: Asks about pump station on First Street and why it is being rebuilt. Feels like it was rebuilt in the 90's. Wants to know why it failed so quick? R. Trombley was consulted after the meeting and the First Street pump station was not rebuilt in the 90's; repair work was done around 1982.

J. Burek: Was at auction for Town property and when Eleventh Street property was sold Atty. mentioned there was an \$80,000 lien on the property and he said it was to be dealt with by the Town. The Board doesn't believe this was the truth. The Town is paid first.

S. Kretzenger: Wants to know if something can be done with tractor trailer trucks coming down West Main Street in Millers Falls and can they be prohibited from making a right hand turn onto Route 63. A car has a hard enough time making this turn. This stops traffic in all directions. Frank to talk to Tom and Chip about putting up a sign and getting traffic rerouted on S. Lyman and get back to the Board next week.

J. Golrick: Living at the intersection, there is a problem with truckers coming to Millers, there is also a problem with them coming off Rte. 63 and taking a left. They should be using Lake Pleasant Road. Turn is dangerous and deadly.

J. Golrick: Policy and procedures manual? Abbondanzio: It is not available for public distribution yet as the Selectmen have not voted on it as a document and the staff is in the process of reviewing it.

J. Golrick: Wants to know if employee review will be done prior to Staff replacement? The town attorney has weighed in on this previously and is not done publicly.

J. Golrick: Policy on planters? Abbondanzio, there is no policy in place at the moment

Bill Goldfarb, Lefties Brewing Company

One Day Beer & Wine License at Shea Theater, GPD Comedy Night, 5/8/15, 6:00 PM to 12:00 AM

Nelson makes the motion to approve the one day beer and wine license to Lefty's Brewing Company at the Shea Theater on May, 8, 2015 from 6:00 PM to 12:00 AM, \$30 fee and insurance to be provided. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother - Aye

Suzanne LoManto, Turners Falls RiverCulture

Registration for Assembly, Public Demonstration or Use of Public Property: Parade in conjunction with the UMASS/RiverCulture Event "Rivers Song", 5/16/15, 3:00 PM to 3:45 PM

Nelson makes the motion to approve use of public property by the Turners Falls RiverCulture, for a parade taking place on May 16, 2015 from 3:00 PM to 3:45 PM starting at the Great Falls Discovery Center to Bike Path to Unity Park to Second Street to the Shea, insurance covered by Town, Chief Dodge has signed off on event with reminder

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*to make sure there is sufficient staff to assist with road crossings. Seconded by Nelson approved unanimously.
Boutwell – Aye, Nelson – Aye, Fairbrother - Aye*

Discussion regarding contract for PEG Access provider

Fairbrother: CAC started review of MCCI about this time last year. In October the CAC voted an evaluation consistent on two parts a didn't meet checklist and a letter. The Selectmen needs to decide if they are going to give a new contract to MCCI or put out an RFP. This has decision has never been made and needs to be in order to move on. The CAC recommends to the BoS that the following contractual items be included in the new contract, effective January 1, 2015, (to late to meet this date). There are a list of points noted and Fairbrother asks Mike Langknect if he is correct that he would object to points II, III, IV and V?: ii) That the MCCI Board consists of a minimum of five (5) and a maximum of nine (9) member; iii) That each MCCI Board of Directors position has a term of three (3) years with no more than two (2) consecutive terms. Also, that there be one (1) year off before applying/reapplying for Board membership. iv) That succession is implemented along the following lines. As soon as a new Board is recruited, as long as a minimum of five (5) Board members is maintained, the most senior board members will resign. Further, that MCCI be required to recruit two (2) new board members within the first year of the contract. iv) That the MCCI Presidency has one (1), three (3) year, term.

Langknect states the MCCI Board would not be in favor of those items due to the specific restrictions. Would love to have more members but to make it a goal post they have to hit in order to remain makes it difficult.

Fairbrother: I understand why those points are in the recommendation; whether you think they are micro managed or not, we do not have the authority to enforce them and were told that last year. We have no legal authority to enforce them so they are off the table now. Item i) Establish a new contract with MCCI for a term of thirty (30) months. Such a term would allow for two (2) annual reviews to be completed and gives the CAC & MCCI time to work together on specific areas in need of improvement. vi) That MCTV posted/public hours include at least one evening a week. And, that the posted/public ("retail") hours must be staffed. vii) That MCTV Quarterly Reports will basically constitute the annual report. These reports are to be submitted to both the CAC & the BoS within 30 days after the end of the quarter or end of the calendar year. The Annual Report should be a cumulative summary to reflect that year's activity at MCTV. It should also include a critique of that year and goals for the coming year. viii) That MCTV generate more original programming by local producers, with a focus on local events and the local history. The discussion on how to implement this aspect centered on 2 possibilities - either dedicate a percentage of the budget for stipends to be paid to producers to generate programming or require a percentage of local original programming in the overall output of the station. These are the main points that come from the recommendations

Langknecht: In terms of point one, we'd hoped BoS would be willing to enter into same type of agreement for term of license with Comcast. We are looking at our facility needs and know the facility does not meet those needs. We've been talking about buying the Cumby's building or having it deeded to us by the EDIC. The only stumbling block was absence of the contract between the Town and Comcast and between us and the Town. The big picture would be having a longer more secure contract gives us more leverage and a better position. The longer contract term the better. The contract requires yearly review by the CAC to ensure all services provided by us are being provided. Sections 6 & 8 are better addressed in the annual review process rather than the contract. The CAC is charged with providing us goals and directions for each year and if the CAC says you need a certain amount of X to demonstrate you are doing the job, then that would set the standard that had to be met or we would be subject to Article 4.2 of the termination clause.

Fairbrother: It is true the CAC dropped the ball for several years and reviews didn't happen.

Discussion about comments made regarding reviews

Fairbrother: Tonight's meeting is to decide if we will be going out for an RFP or to give MCTV a new contract. Depending on the decision, then we can negotiate the contract.

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Langknecht: Town residents, don't make any money off of this, would like a set date for the yearly review. Happy to settle any remedial reviews to make sure this happens. All we are interested in is getting the proper guidance and getting plan together and hearing from the Town if we need more of that or less of that.

Fairbrother: You stated earlier tonight, you wanted a 10 year contract, can you tell us what the plans are for the 10 years?

Langknecht: We will continue to respond to the direction from the CAC, continue to produce more local content, continue with programming, adjust to new technology which is biggest challenge. According to the contract, its meant to be reviewed yearly and can only make yearly plans.

Nelson: What effect on the board would it be having a 30 month contract vs. a 10 year contract? Langknecht responds that no it effects the ability to borrow for real estate.

Veronica Phaneuf: Thought we were going to be talking about a contract, as a board member, you cannot have a long range plan or a short range plan if you don't know where the money is coming from. We have been trying to outreach to the community, what has been said, but we are only addressing items on the short range without knowing what is going on. CAC is not supposed to be acrimonious relations with MCTV, I thought it was they were to be the Selectboards arm and they worked with getting feedback from the Town and helping to guide us with what we are delivering as volunteers on a board. To bring up stuff without any paperwork to prove it is wrong.

Jeff Singleton: Town meeting is why MCCI has a contract. They need to be accountable to Town Meeting; if you have a plan present it. What has happened with that station has not entirely lived up to the expectations of those who fought to bring it back and we need more a community station. The only way to solve this is with a short term contract with a plan.

J. Golrick: If it's a matter of expectations, then put the expectations on paper, do an RFP. If no other bidders come forward than what have we lost, absolutely nothing. If this group has a plan, have them present it, why can't we do an RFP with clear parameters? Have a bar for the group to meet, that way the people would be able to see what it is the Selectboard is asking for on our behalf is offering and what the organization is giving on our behalf.

J. McNamara: On CAC, came in the middle of the process because I have television experience. Trying to lend my experience and obviously it has become very personal, but we could look at why it is so personal. Whether people know it or not, they pay for this in their bill every month. I felt there were a lot of excuses from the Board as to why it was how it was. The station does not appear to be managed properly. We would not be sitting here if we had droves of volunteers and are starting from almost ground zero. Other access stations are more aggressive with finding volunteers. The impression is if the station is available it is available and that is enough. There are opportunities being missed here. The station needs to be open more hours. We need to talk about deficiencies that are happening. An RFP might be a possibility to get it done now. I agree with most of these folks, it has gone on for way to long. Everyone wants to see more programming.

Dean Garvin: I don't have excuses, I have explanations and the best thing would be to sit down with the CAC to start addressing these to see what the best solution is to address everyone's problems.

Charles Kelley feels we should just deal with the contract as there are no other groups out there that would compete

Patricia Pruitt comments on how previous reviews were done, thinks MCTV should be honest with what their weaknesses are, feels there are still good people involved and whatever length of contract there will be doesn't want to see management go away. Feels more young people should be involved. We have an asset here and we should make sure it does the best it can and shouldn't throw it out because it has stumbled.

Nelson makes the motion to authorize the appropriate Boards and Committees to negotiate a contract with MCCI through December 31, 2017 with the understanding that the contact may be ultimately extended through December

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31, 2025. Seconded by Fairbrother, Boutwell makes an amendment to recommend that MCTV and CAC sit down together and start working on the issues. Seconded by Nelson, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother - Aye

Town Administrators Report

Sign Agreement between Town of Montague and The Berkshire Design Group, Inc. for Avenue A Streetscape Improvements Project, Phase One (\$9,450) and Phase Two (\$13,300)

Nelson makes the motion to sign the Agreement between Town of Montague and The Berkshire Design Group, Inc. for Avenue A Streetscape Improvements Project, Phase One (\$9,450) and Phase Two (\$13,300). Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother - Aye

Appointment to GMTA: Carolyn Olsen, until 6/30/15

Nelson makes the motion to appoint Carolyn Olsen to the GMTA until June 30, 2015. Seconded by Fairbrother, approved unanimously. Boutwell – Aye, Nelson – Aye, Fairbrother – Aye

Topics not anticipated in the 48 hour posting requirements

Singleton: I am the representative on the FRTA board and I try to keep your back on topics. As you may know we are looking at evaluating buying a piece of property to put up a barn. We had a long executive session. I am going to have to take some stands on that, but we are not allowed to talk about it in public. I'm wondering if we should have an executive session to discuss this. Thinks I need to keep you up to date on this.

Singleton will check with the FRTA and their attorney to see if the information can be disclosed to the Board then Jeff will contact Frank and an executive session will be scheduled

Nelson made the motion to adjourn the meeting at 8:27 PM. Seconded by Fairbrother, approved unanimously. Boutwell- Aye, Nelson – Aye, Fairbrother - Aye