

**SELECTMEN'S MEETING AGENDA
UPSTAIRS MEETING ROOM
1 AVENUE A, TURNERS FALLS, MA
MONDAY, October 17, 2016
-Subject to Change-**

Topics may start earlier than specified, unless there is a hearing scheduled

Meeting Being Taped

Votes May Be Taken

1. **7:00** Approve Selectmen minutes of September 26, 2016 and October 3, 2016
2. **7:01** 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
3. **7:05** Brick & Feather Brewery, Inc., Lawrence D. George II as Manager, 78 11th Street, Turners Falls
 - Request for Pouring Permit, Farmer Brewery (Malt Beverages only)
4. **7:10** Bruce Hunter, FY16 CDBG Grant Program
 - Execute Contract for FY 2016 CDBG Program – Between the Town of Montague and HRA, Lump Sum \$235,848, Time frame 18 months
 - Execute Proposal from Berkshire Design Group, Inc. for construction management and oversight, Lump Sum \$22,500 Timeframe 15 months
 - Execute Contract for FY 2016 CDBG Social Service Program – Between the Town of Montague and Montague Catholic Social Ministries, Lump Sum \$27,466, Timeframe 15 months
 - Execute Contract for FY 2016 CDBG Social Service Program – Between the Town of Montague and The Brick House Community Resource Center, Inc., Lump Sum \$25,000, Timeframe 15 months
 - Execute Contract for FY 2016 CDBG Social Service Program – Between the Town of Montague and Life Path, Inc. (f/k/a Franklin County Home Care Corp., Inc.), Lump Sum \$35,000, Timeframe 15 months
5. **7:20** Josh Goldman, Shea Theater Arts Center, 71 Avenue A, Turners Falls
 - One Day Beer & Wine License, 5:00 PM to 11:00 PM,
 - November 4, 5, 6, 10 and 11, 2016
 - December 3, 16, 17, 2016
6. **7:25** Personnel Board
 - Appoint Eileen M. Seymour, Treasurer/Collector, 35 hours/week, Grade G, Step 1, \$56,303/year, effective 10/12/16 Part Time, 10/31/16 Full Time
 - Appoint Robert J. McDonald, Wastewater Superintendent, 40 hours/week, Grade H, Step 8, \$84,655/year, effective 10/31/16
7. **7:30** Town Administrators Report
 - Authorize Professional Services Agreement with Tighe & Bond for Montague Burn Dump Corrective Action Design (\$96,000) to be funded by existing town meeting appropriation
 - Execute Warrant for the November 8, 2016 State Election – Attached hereto
 - Topics not anticipated in the 48 hour posting requirements

OTHER

The next regularly scheduled Selectmen's Meeting will be held on Monday, October 24, 2016, 7:00 p.m. at the Montague Town Hall, 1 Avenue A, Turners Falls, MA

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COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

WARRANT FOR THE STATE ELECTION
SS. Franklin
To the Constables of the Town of Montague.

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in the State Election to vote at

Precinct No. 1, the Montague Center Precinct, the Montague Center Fire Station, 28 Old Sunderland Rd., Montague Center; Precinct No. 2, the Millers Falls Precinct, the Highland School Apartments Community Room, 446 Millers Falls Road, Millers Falls; Precinct No. 3, the upper hill section of Turners Falls, the Hillcrest School Auditorium, 30 Griswold Street, Turners Falls; Precinct No. 4, the second level of Turners Falls, the Hillcrest School Auditorium, 30 Griswold Street, Turners Falls; Precinct No. 5, downtown section of Turners Falls, Montague Senior Center, 62 Fifth Street, Turners Falls; Precinct No. 6, the South End and Montague City Precinct, the Public Safety Complex Community Room, 180 Turnpike Road, Turners Falls on TUESDAY, THE EIGHTH DAY OF NOVEMBER, 2016, from 7:00 A.M. to 8:00 P.M. for the following purpose: To cast their votes in the State Election for the candidates for the following offices and questions:

ELECTORS OF PRESIDENT AND VICE PRESIDENT.FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS.SECOND DISTRICT
COUNCILLOREIGHTH DISTRICT
SENATOR IN GENERAL COURT. . . HAMPSHIRE, FRANKLIN & WORCESTER DISTRICT
REPRESENTATIVE IN GENERAL COURT.FIRST FRANKLIN DISTRICT
SHERIFF. FRANKLIN COUNTY
COUNCIL OF GOVERNMENTS EXECUTIVE COMMITTEE.....FRANKLIN COUNTY

QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2016?

SUMMARY

This proposed law would allow the state Gaming Commission to issue one additional category 2 license, which would permit operation of a gaming establishment with no table games and not more than 1,250 slot machines. The proposed law would authorize the Commission to request applications for the additional license to be granted to a gaming establishment located on property that is (i) at least four acres in size; (ii) adjacent to and within 1,500 feet of a race track, including the track's additional facilities, such as the track, grounds, paddocks, barns, auditorium, amphitheatre, and bleachers; (iii) where a horse racing meeting may physically be held; (iv) where a horse racing meeting shall have been hosted; and (v) not separated from the race track by a highway or railway.

A YES VOTE would permit the state Gaming Commission to license one additional slot-machine gaming establishment at a location that meets certain conditions specified in the law.

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A **NO VOTE** would make no change in current laws regarding gaming.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2016?

SUMMARY

This proposed law would allow the state Board of Elementary and Secondary Education to approve up to 12 new charter schools or enrollment expansions in existing charter schools each year. Approvals under this law could expand statewide charter school enrollment by up to 1% of the total statewide public school enrollment each year. New charters and enrollment expansions approved under this law would be exempt from existing limits on the number of charter schools, the number of students enrolled in them, and the amount of local school districts' spending allocated to them.

If the Board received more than 12 applications in a single year from qualified applicants, then the proposed law would require it to give priority to proposed charter schools or enrollment expansions in districts where student performance on statewide assessments is in the bottom 25% of all districts in the previous two years and where demonstrated parent demand for additional public school options is greatest.

New charter schools and enrollment expansions approved under this proposed law would be subject to the same approval standards as other charter schools, and to recruitment, retention, and multilingual outreach requirements that currently apply to some charter schools. Schools authorized under this law would be subject to annual performance reviews according to standards established by the Board.

The proposed law would take effect on January 1, 2017.

A **YES VOTE** would allow for up to 12 approvals each year of either new charter schools or expanded enrollments in existing charter schools, but not to exceed 1% of the statewide public school enrollment.

A **NO VOTE** would make no change in current laws relative to charter schools.

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2016?

SUMMARY

This proposed law would prohibit any farm owner or operator from knowingly confining any breeding pig, calf raised for veal, or egg-laying hen in a way that prevents the animal from lying down, standing up, fully extending its limbs, or turning around freely. The proposed law would also prohibit any business owner or operator in Massachusetts from selling whole eggs intended for human consumption or any uncooked cut of veal or pork if the business owner or operator knows or should know that the hen, breeding pig, or veal calf that produced these products was confined in a manner prohibited by the proposed law. The proposed law would exempt sales of food products that combine veal or pork with other products, including soups, sandwiches, pizzas, hotdogs, or similar processed or prepared food items. The proposed law's confinement prohibitions would not apply during transportation; state and county fair exhibitions; 4-H programs; slaughter in compliance with applicable laws and regulations; medical research; veterinary exams, testing, treatment and operation if performed under the direct supervision of a licensed veterinarian; five days prior to a

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pregnant pig's expected date of giving birth; any day that pig is nursing piglets; and for temporary periods for animal husbandry purposes not to exceed six hours in any twenty-four hour period.

The proposed law would create a civil penalty of up to \$1,000 for each violation and would give the Attorney General the exclusive authority to enforce the law, and to issue regulations to implement it. As a defense to enforcement proceedings, the proposed law would allow a business owner or operator to rely in good faith upon a written certification or guarantee of compliance by a supplier.

The proposed law would be in addition to any other animal welfare laws and would not prohibit stricter local laws. The proposed law would take effect on January 1, 2022. The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would prohibit any confinement of pigs, calves, and hens that prevents them from lying down, standing up, fully extending their limbs, or turning around freely.

A NO VOTE would make no change in current laws relative to the keeping of farm animals.

QUESTION 4: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2016?

SUMMARY

The proposed law would permit the possession, use, distribution, and cultivation of marijuana in limited amounts by persons age 21 and older and would remove criminal penalties for such activities. It would provide for the regulation of commerce in marijuana, marijuana accessories, and marijuana products and for the taxation of proceeds from sales of these items.

The proposed law would authorize persons at least 21 years old to possess up to one ounce of marijuana outside of their residences; possess up to ten ounces of marijuana inside their residences; grow up to six marijuana plants in their residences; give one ounce or less of marijuana to a person at least 21 years old without payment; possess, produce or transfer hemp; or make or transfer items related to marijuana use, storage, cultivation, or processing.

The measure would create a Cannabis Control Commission of three members appointed by the state Treasurer which would generally administer the law governing marijuana use and distribution, promulgate regulations, and be responsible for the licensing of marijuana commercial establishments. The proposed law would also create a Cannabis Advisory Board of fifteen members appointed by the Governor. The Cannabis Control Commission would adopt regulations governing licensing qualifications; security; record keeping; health and safety standards; packaging and labeling; testing; advertising and displays; required inspections; and such other matters as the Commission considers appropriate. The records of the Commission would be public records.

The proposed law would authorize cities and towns to adopt reasonable restrictions on the time, place, and manner of operating marijuana businesses and to limit the number of marijuana establishments in their communities. A city or town could hold a local vote to determine whether to permit the selling of marijuana and marijuana products for consumption on the premises at commercial establishments.

The proceeds of retail sales of marijuana and marijuana products would be subject to the state sales tax and an additional excise tax of 3.75%. A city or town could impose a separate tax of up to 2%. Revenue received from the additional state excise tax or from license application fees and civil penalties for violations of this law would be deposited in a Marijuana Regulation Fund and would be used subject to appropriation for administration of the proposed law.

