

TOWN OF GILL

M A S S A C H U S E T T S



www.gillmass.org

SELECTBOARD & FINANCE COMMITTEE MEETING MINUTES

May 8, 2017

Call to Order: The Selectboard meeting was called to order at 5:30 PM.

Selectboard Members Present: John Ward, Greg Snedeker, Randy Crochier

Selectboard Members Absent: None

Finance Committee Members Present: Timmie Smith, Ronnie LaChance, Fred Chase, Claire Chang, Tupper Brown

Finance Committee Members Absent: Jacob Rau

Others Present: Ray Purington

FirstLight Settlement Meeting Ground Rules: The Selectboard reviewed and discussed Town Counsel's suggested wording for a disclaimer to be included on the Settlement Ground Rules that must be signed in order for John Ward (Selectboard) and Phil Gilfeather-Girton (Conservation Commission) to represent the Town at the negotiations with FirstLight and other agencies over a potential settlement agreement related to parts of FirstLight's relicensing by FERC.

While there is some hesitation to participating in the negotiations under the secretive and confidential conditions imposed by the Ground Rules, there was a greater feeling that "we'd rather be at the table, than not." By being a part of the negotiations, the Town is better able to advocate for and get commitments from FirstLight on riverbank stabilization & restoration, fish passage & habitat, recreation, and other important issues.

Randy made a motion, seconded by Greg, to authorize John to sign the Ground Rules as the Selectboard's representative to negotiations, and to authorize Phil Gilfeather-Girton to sign as the representative of the Conservation Commission. The vote was unanimous in the affirmative.

Call to Order: The Finance Committee meeting was called to order at 5:40 PM.

Review of Minutes: Randy made a motion, seconded by Greg, to approve the minutes of 4/24/17 and 5/3/17. The vote was unanimous in the affirmative. Prior to the vote, during discussion of the 5/3 minutes, Timmie clarified that in the discussion of the proposed GMRSD staffing cuts, the financial woes driving the cuts include an additional shortfall of \$160,000 due to unplanned and unbudgeted SPED out-of-district placements, on top of the \$160,000 shortfall in Medicaid reimbursements.

Fred made a motion, seconded by Claire, to adopt the Selectboard minutes for 4/24/17 and 5/3/17 in lieu of separate Finance Committee minutes. The vote was 4 in favor, 0 opposed, 1 abstention (Tupper).

There was a general discussion of the GMRSD's budget problems for this year and next. Tupper suggested the Superintendent should be encouraged to contact DESE and our legislators, and make a request for any special or emergency funding that might be available.

1.01 Moderator: Level funded request of \$335 for FY18.

1.02 Selectboard: Basically unchanged; \$13 decrease for FY18.

1.03 Administrative Assistant: Expense budget unchanged at \$645; step increase of \$2,268 for FY18.

1.04 Finance Committee & Reserve Fund: Unchanged for FY18. There was a brief discussion of the amount of the reserve fund, but there is no overwhelming reason to change it.

1.05 Accountant: Level funded request of \$200 for FY18.

1.09 Legal: Level funded request of \$5,000 for FY18.

1.10 Information Technology: Slight decrease of \$30 for FY18. The Town website will be transferred to the new platform with Montague Webworks during the tail end of FY17 and the beginning of FY18. This will bring a monthly website hosting fee of \$60. The current website was hosted for \$49 - \$99/year.

1.13 Conservation Commission: Level funded request of \$830 for FY18. There was discussion of whether the ConCom would need additional resources for their work related to FirstLight, but it was decided that if they felt a need for funds, they would have asked. The ConCom is able to have project owners pay for an independent technical review of proposed wetlands work.

Greg left the meeting at 6:23 PM.

1.14 Agricultural Commission: Increase requested for FY18, from \$200 to \$400. The AgCom wants to work on a brochure featuring farms and barns of Gill.

1.15 Planning Board: Level funded request for FY18. There was a brief discussion of what topics the Planning Board has been working on, and whether their work will prepare Gill for a large growth in the demand for housing. It was left that individuals who are interested in the Board's work will attend one of their meetings or speak with a member of the Board.

1.16 Zoning Board of Appeals: Level funded request for FY18. There is a hope that the Clerical Assistant will be able to and/or is interested in making greater use of the budgeted hours, in order to help get caught up on various projects.

1.17 Energy Commission: Level funded request for FY18.

4.1 Board of Health: Level funded request for FY18.

4.3 Veterans' District/Services: A revised budget was distributed reflecting changes discussed on 5/3.

5.1 Library: Request includes an increase of \$615 (2.3%) for FY18, mostly for library materials and subscriptions. Current circulation and patronage statistics were requested.

5.2 Recreation Committee: The request for FY18 is \$900 lower than FY17. The reduction is possible due to cutting \$500 for a 5K road race (the committee member who wanted to organize it is no longer active), and by relying on program fees that are collected. For example, this year's soccer program had expenses of \$1,480 but also brought in over \$800 in program fees. The Committee plans to offer baseball and softball next year.

Fin Com Adjournment: The Finance Committee adjourned at 7:25 PM.

Selectboard Adjournment: The Selectboard adjourned at 7:25 PM.

Minutes respectfully submitted by Ray Purington.

Signed copy on file. Approved 05/17/2017

Randy Crochier, Selectboard Clerk

Adopted by the Finance Committee in lieu of separate Finance Committee minutes on 05/17/2017.

CONFIDENTIAL—

FOR SETTLEMENT PURPOSES ONLY

MAY 2017

**GROUND RULES FOR SETTLEMENT NEGOTIATIONS: NORTHFIELD
MOUNTAIN PUMPED STORAGE AND TURNERS FALLS HYDROELECTRIC
PROJECT RELICENSING**

1. **Good Faith-** Each settlement participant will operate with courtesy, respect, and in good faith throughout the negotiation process. Settlement participants agree that productive discussions can only happen in an atmosphere of trust.
2. **Confidentiality-**

Non-government Participants- Settlement communications, including both verbal and written communication, will be treated as confidential by all participants to the maximum extent provided by applicable law.

Government Agencies- With respect to government agencies, written settlement communications shall be treated as confidential to the extent that doing so is consistent with state and federal public records laws, public information/freedom of information acts, Open Meeting Law and other applicable laws, regulations, policies, court or administrative agency orders and evidentiary or discovery procedures.

All Participants- Settlement participants agree to maintain confidentiality of the settlement communications consistent with this Paragraph 2 even after the settlement discussions have ended or a party has withdrawn. Settlement communications, including proposals and positions taken in settlement negotiations, as well as information generated for the purpose of furthering settlement negotiations that would not otherwise be publicly available, will not be used or shared outside of settlement negotiations, including with the press and individuals and organizations who are not settlement participants, without the consent of the other settling parties or as ordered by an Administrative Agency or Court with jurisdiction thereof, consistent with this Paragraph 2. No audio or video recording will be allowed of the settlement negotiations. Each settlement participant shall make best efforts to label its written communications that it wishes to remain confidential as follows: “Confidential—For Settlement Purposes Only.” However, failure to do so will not affect the confidentiality of such communication under these ground rules. Likewise, each settlement participant should label all documents they regard as containing confidential business information as such, though failure to do so will not alter the confidential nature of the document in question unless otherwise determined by an Administrative Agency or Court with jurisdiction thereof. Notwithstanding the foregoing, in order for documents to be treated as confidential business information by a government agency, such documents must be submitted to the government

agency in accordance with applicable laws and regulations and be approved as such by final agency action of the respective agency and the court (if applicable). The confidentiality provisions set forth herein shall not apply to or restrict the use of information or documents which now or hereafter become public knowledge without violation of the terms of these ground rules. Nothing herein shall be construed or operate as prohibiting settlement participants from communicating information or sharing documents with others within their respective agencies, governments, or organizations in the usual course of business, subject to these ground rules and Open Meeting Law and Public Records laws.

3. **Comprehensive Settlement/Permitting Procedures-** The ultimate goal is to reach as comprehensive of a settlement as is possible, and to this end, agreement on any one issue or set of issues may be provisional on agreement on a broader range of issues. Government agencies may be required to issue permits or participate in the issuance of permits associated with the relicensing activities that are the subject of, or related to, these settlement negotiations. Certain permits provide for a public process component, in addition to appeal rights. Notwithstanding any provision herein to the contrary, the positions of government agencies in these settlement negotiations shall not be binding upon such agencies' final decisions in the permitting process.
4. **Authority-** Settlement participants shall have the authority to represent their respective agencies/organizations during the settlement meetings, but may not necessarily have the authority to make binding commitments at the time of the meeting. Representatives will make best efforts to discuss settlement options with their respective agencies/organizations and obtain final decisions within a reasonable timeframe. However, no party shall be bound until a final agreement is signed by persons having legal authority to so bind it.
5. **Dates-** Settlement participants agree to reserve certain dates for the purpose of meeting to engage in good faith discussions on issues. Topics to be discussed on a date(s) shall be agreed upon in advance of the date. While all participants on a given topic shall operate in good faith to attend all reserved dates on that topic, no party is required to attend any date. All settlement participants shall make reasonable efforts to maintain the agreed upon set of reserved dates. If a party needs to alter a date, that party shall so state to the group as soon as reasonably possible, with the understanding that it may not be possible to accommodate changes in the schedule.
6. **FOIA-** Settlement participants agree not to file or encourage non-participants to file Freedom of Information Act requests, or state freedom of information/public information act equivalent requests, of the agency settlement participants during negotiations. Each agency participant agrees to notify the other settlement participants if it receives any Freedom of Information Act or state freedom of information/public information act requests for settlement information obtained or exchanged during negotiations.
7. **Agendas-** Agendas for each settlement session will be published a minimum of one week in advance of the relevant settlement session. Timelines will be estimated for each discussion topic to keep the meetings productive and moving. However, for the convenience of those involved in all aspects of a given agenda, the agenda timeline will be continuous (e.g. if a topic is finished earlier than its estimated timeline the agenda will continue to the next topic).

The last part of each meeting will be dedicated to discussing the agenda for the next negotiation session and for establishing any action items to be completed prior to the next scheduled meeting.

8. **Meeting Synopses-** FirstLight or its representative will make available a brief synopsis of each meeting to all settlement participants, generally within one week of the meeting. Each meeting will include an opportunity to discuss the meeting synopsis from the previous meeting. The synopses will be limited to agreements reached and action items for the next meeting. Meeting minutes will not be provided.

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Acknowledged on behalf of **Town of Gill***:
Organization

***Subject to the following: The Town of Gill is subject to the Massachusetts Public Records & Open Meeting Laws and the Freedom of Information Act. Any public information requests for information provided to the Town of Gill pursuant to these Settlement Negotiations will be provided to the requesting party in accordance with these laws. All Open Meeting Law requirements shall also be met which may be applicable particularly relative to Sections 4, 7 and 8.**

Signature

Lead Negotiator for **Town of Gill Selectboard**
Organization

Printed Name

Title

Date