

# TOWN OF GILL

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



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## SELECTBOARD MEETING MINUTES

*August 17, 2009*

### Called to Order

Meeting was called to order at 4:30 p.m.

### Present

Ann Banash, John Ward, Nancy Griswold, Selectboard members; Tracy Rogers, Town Administrator; Tupper Brown, Claire Chang, Timmie Smith, Finance Committee members; Doug Harris, Narragansett Indian Tribe; Joe Graveline, Nolumbeka Project.

### Review Minutes

Nancy made a motion to accept minutes of the Board's August 3 meeting as written. John seconded the motion and it was carried by a unanimous vote.

### Mariamante Parcel

The following people joined the meeting: Elizabeth Perry, Jonathan Perry, and Betina Washington of the Wampanoag Tribe of Gayhead (Aquinnah); Howard Clark, archaeologist to the Narragansett Tribe; and Cris Carl, Friends of the Wissatinnewag.

Tracy presented the Board with a list of residents who wished to sit on the new Mariamante Committee. She asked if the Board would consider combining the new committee with the existing Chapter 43D Steering Committee, since both seem to be working toward a similar goal. The Board agreed. Nancy made a motion to keep the existing Chapter 43D Steering Committee and appoint the following new members to it: Liz Gardner, Bill Burnham, Ronnie LaChance, and Lynda Hodsdon Mayo. John seconded the motion and it was carried by a unanimous vote.

Ann read aloud a letter from the Massachusetts Historical Commission (MHC) instructing the Town to remove the redacted copy of the phase II archaeological report from the website, post the property with "prohibitory signs...specifically indicat[ing]...that artifact collecting is not permitted on public property," and to have the police department regularly patrol the site. The letter states that "archaeological locational information is 'not a public record' to protect the sites, and the report is 'confidential' (MGL c. 9 ss. 26-27C, 950 CMR 70.13(7))." Ann asked to request comments on the report from MHC by 8/31. The Board questioned whether placing such signs on the property would call further attention to the site as an archaeological site. Would standard "no trespassing" signs be sufficient? Tracy will call MHC.

Tracy asked whether the Board would like her to pursue the previous idea of allowing contractors working on the Gil-Montague Bridge to rent the parcel on which to park their equipment. The Board decided against it at this time.

Tracy asked whether the Highway Department should mow the parcel at least once at the end of the growing season to prevent trees from sprouting on it. The Board agreed that one mowing should happen.

Tracy asked what she should tell Tighe & Bond, who are waiting patiently for a go ahead on the conceptual designs. Ann suggested having the archaeologist whose résumé Tighe & Bond forwarded review UMass' report. John suggested trying to find someone agreeable to both the Town and the tribes to review it.

Fire Chief Gene Beaubien joined the meeting.

The question of who the stakeholders in the property are arose. Joe Graveline pointed out that 950 CMR, sections 71.03 and 71.08 define stakeholders. Ann asked Tracy to contact Donna to ask her to join in the process.

Ann asked the tribes how much time they might need to put together a proposal, including potential funding sources. She proposed January 1, 2010, which the tribes agreed to.

Paul Nowill joined the meeting.

Tracy asked if the Finance Committee would like to appoint someone to replace Paul Nowill on the Mariamante Committee, since Paul was there as a Finance Committee representative, but no longer sits on the Finance Committee. Tupper said he would address it at the next Finance Committee meeting.

Doug, Elizabeth, Howard, Jonathan, Cris, Joe, and Betina left the meeting.

#### Fire Dept.

Chief Beaubien asked the Board for permission to enter the Town fire trucks in the Franklin County Fair parade. The Board approved.

Gene reported that Butch Garrity, from County Dispatch, has told him Dispatch will not provide burning permit services next year because he is short two staff members and the State won't allow him to fill the positions. Dispatch issued 246 permits in Gill in 2008, mostly on weekends. With no Town staff in the office on weekends, it would be difficult to issue permits ourselves. We'd also have to start charging for them, whereas Dispatch provides the service for free right now. The Board instructed Tracy to contact Butch for more details and then ask legislators to help get those two positions back for Dispatch if necessary.

Ann asked about the status of in-house SCBA training. Gene reported he's still working on it.

Gene left the meeting.

#### Sandri Property

Tracy presented a draft of a deed, which Donna had reviewed and found no problems with. She also presented a copy of the title search documentation from Franklin Land Trust, which Donna has not yet had an opportunity to review. The Board asked Tracy to have Donna review the title search documentation.

Tupper asked about the Cook and Blake property that was recently put into permanent protection. Was it legal for the Mount Grace Land Trust to file without signatures from the Selectboard? Tracy explained that she asked Mount Grace that very question and was told it was a "temporary" 30-year protection that would have to come before the Selectboard before it became permanent. She also explained that she's in the process of organizing a training on land preservation for those boards that are involved, with another training for the public to follow. Tupper said he'd check with Mount Grace on why the Selectboard wasn't consulted on the Cook and Blake Estate.

#### Special Town Meeting

The Board discussed possible dates to hold a special town meeting. It decided to hold it before a School District meeting, putting forth the Commissioner's 1/12 figure. Then, if the District meetings result in the School Committee and Montague agreeing to the 1/12 budget or a lower figure, Gill will be all set. The Board set a date of September 14 7:00 p.m.

Tupper suggested the Board and Finance Committee send a letter to the Superintendent and School Committee requesting that they hold a district meeting as soon as possible and explain that we can't set our tax rate until the school budget issue is resolved. The Board agreed to that idea.

The Board agreed to try to meet with the Finance Committee on August 25 or 27 to discuss the items on the special town meeting warrant. The goal will be to leave that meeting with a finished warrant ready to be posted.

The Board discussed the following warrant articles:

1. Combine and appoint the collector and treasurer positions. Tracy reported that the process for accomplishing this task is more complicated than she thought. DOR told her that special legislation is necessary for both actions. The Board decided to postpone this article until a future special town meeting.
2. Allow the Moderator to record a 2/3 vote by voice. Approved.
3. Transfer \$800 from the Dog Revolving Fun to the Library Account. Approved.
4. Dissolve the Recreation Committee. Approved.
5. Pay FY09 Recreation Committee bills. Approved.
6. Adopt local meals excise. Approved.

7. Adopt local occupancy excise. Approved.
8. Establish a sewer enterprise fund. Tabled until annual town meeting.
9. Raise and appropriate funds for the sewer enterprise fund. Unnecessary.
10. Establish an Energy Committee. Changed to Energy Commission under MGL c. 40, s. 8i.
11. Amend school budget vote. Approved.
12. Apply 1% COLA retroactive to 7/1/09. Approved.
13. Change annual report to cover fiscal year rather than calendar year. Approved.
14. Put remaining funds minus the amount needed to cover the Recreation Committee FY09 bills into Stabilization. Approved.
15. Put more funds into Stabilization contingent upon an override. Approved.

Tupper asked where things stood with trying to find a different method of handling the Building Inspector Stabilization Fund. Tracy reported that the Financial Management Team has been researching the issue. DOR will not allow an enterprise fund for such an item. DOR also recommended against pursuing special legislation to allow the Town to set up a revolving fund whose dollar limit was more than 1% of the Town's operating budget. Their suggestion was to try to evaluate mid-year where receipts were coming in versus the assessment and try to make an adjustment at a special town meeting. The Team didn't feel that that method would result in anything more accurate than the current method. The Board instructed Tracy to talk with legislators regarding the special legislation idea.

Timmie left the meeting.

#### Recreation Committee

Recreation Committee members Rose LeVasseur and Nathan Duda joined the meeting. Ann asked about an advertisement she saw in the Greenfield Recorder indicating that the Recreation Committee was going to have a tag sale in September at the Four Winds School. She wondered how that could happen when the Committee hadn't asked the Board for permission to use the building yet, nor had they contacted the headmaster at Four Winds to see if the date conflicted with any of his programming. Rose asked about the possibility of having it in the parking lot of Jan's Package Store. The Board said that would be fine if it was cleared with Jan's.

Nathan presented a letter he drafted to be sent to local businesses asking for donations. The Board was concerned the letter sounded like it pitted the Selectboard against the Recreation Committee. Ann volunteered to work on another draft and get it to Nathan.

Tracy asked if all of the vendors who are still awaiting FY09 payment had been contacted and made aware that the bills wouldn't be paid until special town meeting in September. Nathan responded that he had called Keith's II Sports, but none of the others. Tracy asked that ALL vendors be contacted. Rose requested another copy of the list of vendors.

ZBA Appeal Fee

Tracy reported that the ZBA was recommending a fee of \$150 be set for someone filing an appeal of the building inspector's decision. The Board unanimously approved.

Payroll and Bill Warrants

The Board approved payroll and bill warrant number 4.

Continued

Meeting was continued until August 19, 2009 6:15 p.m.

*Minutes respectfully submitted by Tracy Rogers, Town Administrator.*

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John R. Ward, Selectboard Clerk