

TOWN OF GILL

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



www.gillmass.org

SELECTBOARD MEETING MINUTES

March 20, 2017

Called to Order: The meeting was called to order at 5:00 PM.

Members Present: John Ward, Randy Crochier, Greg Snedeker Members Absent: none

Others Present: Ray Purington, Administrative Assistant; Janet Masucci

Executive Session: Greg made a motion, seconded by Randy, to go into Executive Session in order to discuss deployment of or strategy regarding security personnel, i.e. police department shift coverage. John – yes; Randy – yes; Greg – yes. The vote was unanimous in the affirmative.

It was announced that the Selectboard will reconvene in open session. The Selectboard left for the executive session at 5:01 PM.

The Selectboard returned from the executive session at 5:37 PM.

Others Present: Ken Sears, Mitchell Waldron, David Hastings, Eric Vassar, Kent Alexander, Seth Montgomery, Sue Kramer, Ben Levy, Timmie Smith, Paul Nowill, Rachael Abernethy, Sandy Brown, Tupper Brown, Abbie Graseck, Greg Parody, Gene Beaubien, Mike Hastings, Bev Demars, Jenn Simms, Andy Cole, Vicky Jenkins, Peter Jenkins, Gary Bourbeau, Judd Greenstein, Michi Wiancko, Steve Connell, Chris Pinaridi

“Sanctuary City”: Gill residents Rachael Abernethy and Seth Montgomery renewed their request that the Selectboard adopt, with some sense of urgency, an order similar to that adopted by the Mayor of Holyoke in 2014 – “An Order Relating to the Enforcement of Civil Immigration Detainers.”

Fire Chief Gene Beaubien reiterated his concern that federal funds might be taken away from cities and towns that adopt “sanctuary” status. Montgomery expressed his belief that the Constitution’s 10th amendment protects states on this kind of issue. It was pointed out by the Selectboard that while there might be protections, the federal government could change the criteria it uses for awarding competitive grants like the FEMA grants that Gill has applied for.

Police Chief David Hastings stated that the Gill Police Department will enforce the laws of the Commonwealth. Gill Police Officers will not be performing the duties of an Immigration and Customs Enforcement (ICE) officer, as they do not work for the federal government. Hastings stated that he “doesn’t mind” the Holyoke policy, as it is generic, and won’t prevent the Gill PD from doing its job. He declined to make a blanket statement that the Gill PD will never notify ICE about an illegal immigrant in the custody of the Gill PD, as he feels the PD needs the flexibility to maintain the safety of the community, and each situation is different.

Members of the audience questioned whether a Sanctuary City decision is up to the Selectboard, or if it is a Town Meeting decision. The Selectboard feels that setting policy is within their purview. Audience members spoke passionately in support of and in opposition to Gill becoming a sanctuary city, with a clear majority speaking in support.

In their discussion, the Selectboard noted that the issue is still evolving at the federal level, and expressed a desire to wait a while longer before taking action. It was suggested by someone from the audience that in order to keep the issue moving forward, it might work to make a motion to adopt an order like Holyoke’s, and then table the matter to a later date.

Greg made a motion, seconded by Randy, to adopt a Holyoke-like order relating to the enforcement of civil immigration detainers by the Gill Police Department. Randy made a motion, seconded by Greg, to table the motion to a later date. The vote on the motion to table was unanimous in the affirmative.

D. Hastings, Montgomery, Kramer, Levy, Smith, Nowill, Abernethy, S. Brown, T. Brown, Graseck, Simms, Cole, V. Jenkins, P. Jenkins, Bourbeau, Greenstein, and Wiancko left the meeting.

Fire Truck Update & NMH Involvement: Greg reported to the Selectboard on the progress of an ad hoc committee that worked during 2016 to develop specifications for a new fire truck for the Town, with a current estimated cost of \$525,000. Four members met with officials from the Northfield Mount Hermon School to explore the possibility of NMH making a significant contribution to help fund the purchase. The School and its Board has discussed the idea, but has asked the Town to propose a request for a specific dollar amount.

Mike Hastings, who is a retired salesman for KME Fire Apparatus and former Gill Fire Chief, explained the history of the School's involvement in the Town's fire truck purchases. By his recollection, NMH would typically pay for 50% of the cost, and did so in 1967, 1980, 1987, and 1995. The ballpark purchase prices were \$18,000 in 1967, \$55,000 in 1980, \$125,000 in 1987, and \$250,000 in 1995. In 1999 the School paid 100% of the purchase price of the Rescue Van that was bought for the Town.

The \$525,000 fire truck has a pump size and tank size that are large enough to allow the Town to eventually consolidate from three trucks to two, and still maintain the same insurance ratings. The insurance industry, in setting rates for private properties in a town, includes fire department apparatus in its formulae, and water hauling capacity and pump capacity factor heavily in that category.

In discussing next steps, the Selectboard asked Ray to find out whether developing a specific request of NMH could be done as an Executive Session for the Selectboard, as a strategy with respect to negotiation. While there was regret that new fire trucks cost so much, there was consensus that the Town needs a new fire truck, and needs to keep going forward in exploring the purchase.

Fire Department FY17 Funds: Fire Chief Gene Beaubien notified the Selectboard that last fall's repairs to both pumper trucks – to the tune of \$16,000 – has depleted the Fire Department's expense budget for FY17. There is approximately \$5,800 remaining in the budget, but they have not purchased any medical supplies, and still need to purchase three sets of turnout gear at \$2,000+ per set. Beaubien noted that as of right now, the labor budget is still doing okay. Beaubien requested an additional \$6,000 to supplement the expense budget. The Selectboard expressed a willingness to provide the extra funds, but will need more time to figure out a solution.

S. Brown, T. Brown, and Smith rejoined the meeting.

CodeRED Signups: Residents were reminded to sign up for the CodeRED emergency notification system. An "all call" test of the system will happen once an announcement about CodeRED has appeared in the Recorder.

High School Mascot: Mike Hastings presented the Selectboard with a petition with signatures from 15 Gill residents asking for a "non-binding public opinion advisory question" to appear on the Town's May 15, 2017 election ballot. The wording of the question is identical to the question that the Montague Selectboard has placed on their ballot for the same date: "We advise that Turners Falls High School retain its Indian logo but alter the image to be more consistent with indigenous cultures in our region. We also advise that the Gill-Montague School District implement this change in conjunction with the expansion of its curriculum to include Native American history and culture, collaborating with tribes and Indian organization in the region in this effort."

Randy made a motion, seconded by Greg, to place the question on the May 15, 2017 election ballot. Randy explained that his only reason for making and voting for the motion is because the School District is made up of two towns, and the only way to get a district-wide opinion is to have the question on both towns' ballots. He also commented that if it was possible, he'd rather be voting to remove the question from the Montague ballot.

Sandy Brown and Timmie Smith, both of whom are Gill representatives on the Gill-Montague Regional School Committee, discussed the lengthy, thorough and public process that the Committee used before making its decision to discontinue the Indian as the mascot. Smith commented on the difficulty of this decision, in terms of sleepless nights and in terms of the amount of hurt that is being felt by people in the community. Both expressed the need to move forward from the Committee's decision, rather than prolong matter any further.

The Selectboard discussed that the decision on the mascot was the School Committee's to make, and it is not the Selectboard's position to step into that arena. It was also pointed out there is an inherent contradiction between the

high school's namesake, Captain William Turner, and having an Indian as the mascot, since Turner's primary claim to fame is the 1676 massacre of roughly 200 Native Americans gathered in Gill near the modern-day Turners Falls of the Connecticut River. There was also concern about the validity of the results of a ballot question, seeing how very few of the voters are likely to be Native Americans.

Members of the Fire Department – Beaubien, Sears, Parody, Vassar, Connell, and Waldron – left the meeting to respond to a report of a fire in Gill.

Chris Pinardi, a Montague resident who has been a vocal advocate of keeping the Indian as the mascot, spoke in support of having a ballot question in Gill, as an important way for Gill's residents to be part of the process.

The vote on the motion to have a non-binding ballot question was taken, and was defeated with one vote in favor and two votes opposed.

Pinardi, Demars, M. Hastings, S. Brown, T. Brown, and Smith left the meeting.

Minutes: Randy made a motion, seconded by Greg, to approve the minutes of 2/28/17 and 3/6/17. The vote was unanimous in the affirmative.

Sewer I&I Study: Town Counsel has not completed her review of the two ideas about ways to identify houses with illicit sump pumps connected to the sewer system.

Gill Elementary Well: No progress last week.

Mariamante Property/Community Solar: Nothing to report.

Annual Reports: The FY11 report has been formatted, and the formatting of the FY13 report is almost complete.

Oak Street Easement: The Highway Superintendent has approved the easement sketch that was accepted by the Selectboard at their 3/6 meeting. The property owner has been notified to have his surveyor prepare a survey of the easement, and Town Counsel has been provided the sketch in order to begin drafting the easement language.

French King Bridge Update: Randy attended a 3/10/17 meeting organized by the Mass. Department of Transportation (MassDOT) and attended by local police and town official, as well as several state legislators and/or staff members. The cameras have been installed, and once MassDOT finishes writing a licensing agreement, the Gill and Erving Police Departments will have access to the cameras.

Four or five types of suicide prevention barriers are being evaluated by MassDOT and were reviewed at the meeting. MassDOT will incorporate the feedback.

FirstLight Meeting re FERC Relicensing: John attended a 3/7/17 meeting in Burlington, Mass. that was organized by FirstLight in order to bring together interested parties (towns, state agencies, and watershed/river groups) to discuss ways to reach agreements on key issues related to FirstLight's application to FERC for relicensing of the Turners Falls Project and the Northfield Mountain Pumped Storage Project. The meeting was not open to the public. John noted that there is an expectation of a non-disclosure agreement that will need to be signed in order to participate in future settlement meetings. FirstLight also has an expectation that those attending the meetings will be able to speak for and make decisions for the agency/entity they represent.

Settlements on key issues are generally viewed favorably by FERC in its relicensing decisions. There is concern that if the Town does not participate in the settlement process, it might miss the best opportunity to meaningfully shape the conditions of FirstLight's new operating license, especially in the areas of riverbank erosion, spawning fish, and recreation access.

The Selectboard expressed concern about the non-disclosure agreement, especially with respect to ways it might conflict with the Open Meeting Law. It was suggested that the agreement be sent to Town Counsel and the Open Meeting Law Division for their input before it is signed.

Seasonal Liquor License: Greg made a motion, seconded by John, to approve the seasonal liquor license for the Turners Falls Schuetzen Verein. Randy disclosed that he is a member of the club, and recused himself. The motion was approved by a vote of 2 in favor, 0 opposed.

Heating Oil for FY18: Ray reported that the Lower Pioneer Valley Educational Collaborative (LPVEC) conducted the bidding process for FY18 heating oil deliveries. Roberts Energy LLC was the low bidder, and will charge a markup of \$0.29/gallon for deliveries. The Town's heating oil use was reviewed, and Ray recommended locking in

3,500 gallons of heating oil for FY18, and designating Paul Schroeder of the LPVEC to execute the "Buy Order." Greg made a motion, seconded by Randy, to award the FY18 delivery contract to Roberts Energy LLC, to commit to 3,500 gallons of heating oil for FY18, and to designate Paul Schroeder as the Town's agent for executing the Buy Order. The vote was unanimous in the affirmative.

Sewer Abatement: Randy made a motion, seconded by Greg, to grant an abatement of \$47.96 to Chris Pelletier for metered water used for filling a hot tub. The vote was unanimous in the affirmative.

Kent Alexander left the meeting at 8:05 PM.

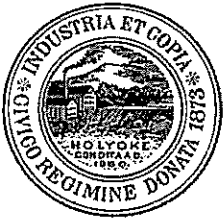
Warrant: The Selectboard reviewed and signed the FY 2017 warrant #19.

The meeting adjourned at 8:40 PM.

Minutes respectfully submitted by Ray Purington, Administrative Assistant.

Signed copy on file. Approved 04/03/2017

Randy Crochier, Selectboard Clerk



Executive Order 2014 - 02

CITY OF HOLYOKE

Executive Order
of
Mayor Alex B. Morse

**An Order Relating to the Enforcement of Civil Immigration Detainers
in the City of Holyoke**

WHEREAS, the City of Holyoke is committed to the respectful treatment of immigrants in our community;

WHEREAS, in order to enhance the trust of the immigrant community in our law enforcement and to ensure that all citizens receive the highest level of public safety, it is imperative that a policy be established regarding the administration and enforcement of civil immigration detainers by the Holyoke Police Department;

NOW, THEREFORE, I, Alex B. Morse, Mayor of the City of Holyoke, by virtue of the power invested in me, do hereby ordain:

The Holyoke Police Department shall neither honor nor enforce a civil immigration detainer requested from the United States Immigration and Customs Enforcement (ICE) or the United States Customs and Boarder Patrol (CBP) when such order seeks the excessive and/or unnecessary detention of an individual in department custody at the Holyoke Police Department beyond the point at which he or she would otherwise be released.

This shall not apply where such order requests detainment of an individual who: 1) is subject to a criminal warrant or court order for continued detention, or has been indicted or arraigned for a criminal offense, and/or 2) has been convicted of a serious crime, including but not limited to domestic violence or threats, or violent felony as defined in Massachusetts General Law or a felony punishable by imprisonment in a state prison; and/or 3) is arrested and taken before a magistrate on a charge involving a serious or violent felony as defined Massachusetts General Laws or a felony punishable by imprisonment in a state prison and the magistrate finds probable cause to believe that the individual is guilty of such felony; and/or 4) is a current registrant of the Massachusetts Sex Offender Registry or is the defendant on a restraining order under Chapter 209A or a Harassment Order under Chap. 258E, and/or 5) has been the cause of a person seeking shelter or other assistance to escape from abuse. Further, this policy shall not apply where a law enforcement or public safety purpose, including but not limited to medical protection concerns, exists for detaining an individual that is unrelated to the enforcement of civil immigration law.

This order shall take affect immediately.

So Ordered:



Alex B. Morse
Mayor

11-19-2014

Date

Non-Binding Public Opinion Advisory Question (MGL 53/18A)

Town of Gill

To appear on the May 15, 2017 election ballot

"We advise that Turners Falls High School retain its Indian logo but alter the image to be more consistent with indigenous cultures in our region. We also advise that the Gill-Montague School District implement this change in conjunction with the expansion of its curriculum to include Native American history and culture, collaborating with tribes and Indian organizations in the region in this effort. "

Sponsors...

| Signature (substantially as registered) | Print name (substantially as registered) | Now registered at (House #, street and apt #) |
|---|--|--|
| 1 <i>[Signature]</i> | Stephanie M. Brown | 205 Main Rd, Gill |
| 2 <i>[Signature]</i> | Patricia Bringham | 50 Mt Rd est 3 |
| 3 <i>[Signature]</i> | Neil Zilinski | 655 main rd Gill |
| 4 <i>[Signature]</i> | Michael F. Hastings | 5 Cove View Ln Gill |
| 5 <i>[Signature]</i> | JOANNED. HASTINGS | 5 COVEVIEW LN, GILL |
| 6 <i>[Signature]</i> | Gene M. Beaubien | 185 Main Road Gill |
| 7 <i>[Signature]</i> | KENNETH D. SEARS | 4 Oak St. Gill, MA |
| 8 <i>[Signature]</i> | Greg Pasody | 169 Main Rd. Gill, MA |
| 9 <i>[Signature]</i> | ERIC VASSAR | 294 French King Hwy Gill MA |
| 10 <i>[Signature]</i> | Beverly DeMars | 34 W A Hwy 97 |
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***** must be a registered voter in the Town of Gill. Name and Address must match your voter registration.

Gill

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Sponsors...

| Signature (substantially as registered) | Print name (substantially as registered) | Now registered at (House #, street and apt #) |
|---|--|--|
| 1 <i>[Signature]</i> | Sarah E Underwood | 19813 Main RD Gill, MA |
| 2 <i>[Signature]</i> | Tom Underwood | 144 WEST GILL |
| 3 <i>[Signature]</i> | Nancy Underwood | 1441 West Gill |
| 4 <i>[Signature]</i> | Ellie Greenwood | 130 West Gill |
| 5 <i>[Signature]</i> | Dennis Underwood | 150 WEST GILL |
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***** must be a registered voter in the Town of Gill. Name and Address must match your voter registration.

TOWN OF GILL
MASSACHUSETTS



www.gillmass.org

LICENSE
ALCOHOLIC BEVERAGES

The Licensing Board of
The TOWN of GILL, MASSACHUSETTS
HEREBY GRANTS A SEASONAL

COMMON VICTUALER

License to Expose, Keep for Sale, and to Sell
All Kinds of Alcoholic Beverages

TO BE CONSUMED ON THE PREMISES

To: **Turners Falls Schuetzen Verein Athletic Association**
Rear of 55 Barton Cove Road, Gill, MA 01354

License #: **00010-RS-0442**

On the following described premises

32'x80' pavilion attached to 28'x17' building which has a kitchen area, bar, walk-in cooler and surround porch. Two seasonal bathrooms in a separate building nearby. All of these located at the rear of the property.

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities. This license expires **January 15, 2018**, unless earlier suspended, cancelled or revoked.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this **20th day of March, 2017**

The hours during which Alcoholic Beverages may be sold are:

From: 4/1/2017 – 1/15/18 8 a.m. – 1 a.m.
daily except Sunday; Sunday from 11 a.m. –
1 a.m.; except where prohibited by Section 13
of the Liquor Control Act.

Licensing Board

THIS LICENSE SHALL BE DISPLAYED ON THE PREMISES IN A CONSPICUOUS POSITION WHERE IT CAN BE EASILY READ.
Telephone 413-863-9347 325 Main Road, Gill MA 01354

Fax 413-863-7775

This institution is an equal opportunity provider and employer.

| Library | | Public Safety | | RMB | | Town Hall | |
|---------|------------|---------------|------------|--------------------|--------|-----------|------------|
| | | | | 1/2 tank on 4/6/17 | | | |
| 75.7 | 11/18/2016 | 30.9 | 10/27/2016 | | | 10.0 | 11/18/2016 |
| 159.7 | 12/22/2016 | 119.2 | 11/18/2016 | | | 78.4 | 11/18/2016 |
| 151.6 | 1/23/2017 | 226.7 | 12/6/2016 | | | 111.6 | 12/22/2016 |
| 179.3 | 2/28/2017 | 305.1 | 12/22/2016 | | | 115.2 | 1/23/2017 |
| 174.7 | 4/6/2017 | 230.3 | 1/5/2017 | | | 131.4 | 2/28/2017 |
| 57.5 | 4/25/2016 | 353.3 | 1/23/2017 | | | 127.5 | 4/6/2017 |
| 20.7 | 6/3/2016 | 200.7 | 2/2/2017 | | | 49.4 | 4/25/2016 |
| | | 295.0 | 2/14/2017 | | | 35.9 | 6/3/2016 |
| | | 185.0 | 2/28/2017 | | | | |
| | | 260.9 | 3/13/2017 | | | | |
| | | 213.7 | 3/23/2017 | | | | |
| | | 105.0 | 4/6/2017 | | | | |
| | | 76.9 | 4/6/2017 | | | | |
| | | 66.5 | 6/3/2016 | | | | |
| 819.2 | 15/16 | 2669.2 | 15/16 | 0.0 | 15/16 | 659.4 | 15/16 |
| Gallons | Season | Gallons | Season | Gallons | Season | Gallons | Season |
| 729.5 | 15/16 | 2381.7 | 15/16 | 0 | 15/16 | 647.9 | 15/16 |
| 850.5 | 14/15 | 3318.9 | 14/15 | 1331.8 | 14/15 | 859.5 | 14/15 |
| 532.7 | 13/14 | 3665 | 13/14 | 2182.2 | 13/14 | 1116.7 | 13/14 |
| 544.6 | 12/13 | 2964.6 | 12/13 | 1776.2 | 12/13 | 999.6 | 12/13 |
| 343.8 | 11/12 | 3088.3 | 11/12 | 1501.1 | 11/12 | 714.9 | 11/12 |
| 501 | 10/11 | 3889.1 | 10/11 | 1855.7 | 10/11 | 888.8 | 10/11 |
| 419.1 | 09/10 | 3285.1 | 09/10 | 1757.6 | 09/10 | 962.9 | 09/10 |

Shaded cells are projections.

- 3918 gal Actual Deliveries through 4/6/17
- 4148 gal Projected Deliveries for 2016/17 contract
- 3800 gal Contracted for FY17

| Total Gal. | Price | Season |
|------------|-----------|--------|
| | \$ 1.5554 | 16/17 |
| 3759 | \$ 2.2606 | 15/16 |
| 6361 | \$ 3.1947 | 14/15 |
| 7497 | \$ 3.2016 | 13/14 |
| 7135 | \$ 2.9783 | 12/13 |
| 7135 | \$ 3.1880 | 11/12 |
| 6425 | \$ 2.3081 | 10/11 |
| 6425 | \$ 1.8181 | 09/10 |

TOWN OF GILL

MASSACHUSETTS



www.gillmass.org

SEWER ABATEMENT REQUEST FORM (Revised 12/13/16)

If the usage figures are believed to be incorrect for the current billing cycle, an abatement form must be filled out, signed, and dated to allow the Town to respond and consider the request. **The bill must be paid before any abatement will be considered.** Sewer abatements will not be granted for the following uses: watering gardens; watering lawns; washing vehicles, buildings, driveways, etc.; no water meter reading or use.

Sewer Bill Date: 4/11/17 Sewer Bill #: 5100
 (Abatement requests must be in writing to the Sewer Commissioners within 30 days of the bill date.)

Dear Sewer Commissioners: I am requesting abatement of my sewer bill for the noted reason(s).

- Metered water used for filling swimming pools or spas (complete chart below)
 (Abatement shall not be granted if calculated amount is less than \$10.00)
- Inaccurate readings (must be confirmed by Water Commissioners)
- Excessive reading due to broken water pipes (must prove that excess water did not enter sewer system)
- Other (explain below)

Explanation: _____

Usage History:

| Date | "A" Meter Reading Before (Cu. Ft.) | "B" Meter Reading After (Cu. Ft.) | "C" # of Cubic Ft (B - A) | "D" Discounted Sewer Rate (from bill) 0.1930 - 10% = 0.1737 \$/cu. ft. | \$ Requested for Abatement (C x D) |
|------------------------|--|---|---------------------------------|--|--|
| <i>Example</i> | <i>075074</i> | <i>075162</i> | <i>88</i> | <i>0.1737</i> | <i>15.29</i> |
| <i>9/27/16</i> | <i>45023</i> | <i>45092</i> | <i>69</i> | <i>0.1737</i> | <i>11.99</i> |
| <i>10/20/16</i> | <i>45375</i> | <i>45444</i> | <i>69</i> | <i>0.1737</i> | <i>11.99</i> |
| <i>11/22/16</i> | <i>45692</i> | <i>45761</i> | <i>69</i> | <i>0.1737</i> | <i>11.99</i> |
| <i>12/15/16</i> | <i>46858</i> | <i>46927</i> | <i>69</i> | <i>0.1737</i> | <i>11.99</i> |
| Total requested | | | | | \$ 47.96 |

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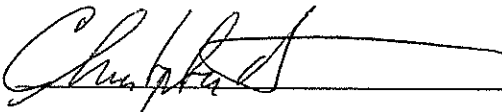
Telephone 413-863-9347

325 Main Road, Gill MA 01354

Fax 413-863-7775

This institution is an equal opportunity provider and employer.

SEWER ABATEMENT REQUEST FORM, page 2

Signature 

Name Chris Pelletier

Account # (from bill) 5100

Address 28 A Walnut St
Gill MA 01354

Tel. 413-522-8537

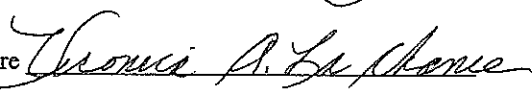
Meter location if different from above address _____

Submit this completed form to the Tax Collector
PO Box 784, Turners Falls, MA 01376

-----Town Use Only Below This Line-----

Date received by Tax Collector 3/8/2017 Abatement deadline (90 days from receipt) _____

Sewer bill is paid & no outstanding sewer charges? YES NO

Tax Collector signature 

Sewer Commission response: Approved Denied

Date 3/20/2017

Sewer Commissioners 