

TOWN OF GILL

MASSACHUSETTS



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SELECTBOARD MEETING MINUTES

July 6, 2010

Called to Order: The meeting was called to order at 4:38 p.m.

Present: John Ward, Ann Banash, and Randy Crochier, Selectboard members; Ray Purington, Administrative Assistant

Others Present: Mick LaClaire, John Miner, Sandy Brown, David Detmold, Rick James

Highway Department Issues: Mick LaClaire, Highway Superintendent, and John Miner met with the Board to discuss John's request to have his salary reviewed. Mick explained that when John was hired, the position had been advertised as a Laborer at Grade 4 on the wage scale. During his interview with Mick and Tracy Rogers (Town Administrator at the time), John expressed a desire that he make "around \$18.00/hour" after successfully completing a probationary period. A June 28, 2010 email from Tracy outlined her recollections from that interview – that we would try to do that, but couldn't promise anything, as it ultimately is the Selectboard's decision.

The Board expressed their recognition of John as a hard worker with many skills and talents, and as an asset to the Town. John W. stated that he could understand how the conversation during the interview could have led John M. to have certain expectations, but noted there is some gray area to this, as it appears to also have been made clear that any increase to the \$18-range required Selectboard approval. There is also an expectation that the Town should be a fair and honorable employer. John W. asked Mick if an increase to Grade 5 Step B (\$17.92/hour in FY10, and \$18.46 in FY11) could be funded within the already approved budget for FY11. Mick said it might be tight, but should be doable. Ann asked if the raise would be retroactive to May 6, 2010 (when the position was increased from 4-D to 5-A). Mick said yes, that would be his recommendation. Randy made a motion, seconded by Ann, to move John Miner from Grade 5 Step A to Grade 5 Step B, retroactive to May 6, 2010. The vote was unanimous in the affirmative.

Mick reported that his request to encumber FY10 funds to pave the top circle of the driveway at Gill Elementary School had been denied by the Town Accountant. DOR has been closely watching encumbrances, and the Accountant feels this project doesn't meet the requirements to be encumbered. It wasn't on any department project list, and hadn't been widely discussed until June 28th. Further, the Town would be picking up the blacktop and doing the paving in FY11.

The Board expressed disappointment at the decision, but decided not to push it further. As the driveway needs to be paved soon in order to avoid more costly repairs in the future, they authorized Mick to perform the work using funds from his FY11 budget, and will ask Town Meeting to transfer money from Free Cash back to his budget later this year after Free Cash has been certified.

Minutes: No minutes were available for review.

GMRSD Budget: Ray reported that DESE has imposed a "1/12" budget for the school district, since Gill and Montague did not both approve the District's FY11 budget prior to June 30th. The 1/12 assessment is based on the School Committee's proposed budget for FY11, which the budget Gill voters approved at Annual Town Meeting.

No further action is needed from Gill at this time. It wasn't known if Montague has scheduled another Town Meeting to vote again on the school budget.

CBDG Survey: More than 50% of the income surveys needed have been returned to the Housing Authority, with 80+% qualifying as low and middle income. If we can get 45-50 more surveys returned, it looks promising that the Riverside Sewer District will qualify for the grant. Ray sent a second letter and survey on July 3rd to households which have not yet responded. John mentioned that the Shelburne Falls sewer system recently installed variable frequency motors on its equipment, and has realized significant energy savings because of it.

Correspondence from David Manning: The Board discussed three letters received (6/29, 7/1, 7/2) from French King Highway resident David Manning. Mr. Manning is asking the Board for whatever relief it can provide to address his complaints of "noise, destruction of property, and all around abuse and disrespect that comes from the boat ramp and river regulations not being properly enforced." His home borders the state-owned boat ramp to the east.

The Board asked Ray to contact Mr. Manning to find out if there has been any progress in the past week. It is thought that some no wake signs or buoys had been placed in Barton Cove recently. Ray is also to contact the Environmental Police to find out what can be done about boats with loud exhausts, as well as options for locking the gate at the boat ramp from 10pm to 4am when the area is officially "closed".

It was also asked if the Franklin County Boat Club, which neighbors the boat ramp to the west, is enforcing state regulations about boat exhaust systems. Perhaps representatives from the Boat Club would be willing to meet with the Selectboard and discuss options for noise control. Ray will check into these two things.

Lastly, Ray will write a response to Mr. Manning addressing the Town's Noise Bylaw, and clarifying that it does not apply to watercraft.

Montague Board of Health Letter: Randy shared with the Board a letter that the Montague Board of Health has sent to the Commissioner of the Department of Public Health. The letter expresses concern with the biomass plant proposed for Greenfield's Industrial Park, and questions the adequacy of the studies and data that have been used so far in the permitting and approval process. The letter calls for a concerted effort by area Boards of Health to coordinate a moratorium on biomass plants until the impact on public health has been adequately studied. The Gill Board of Health supports this letter, and will be writing a similar letter. The Selectboard indicated that it would be willing to lend its support and would co-sign the letter.

Fire Department: Ray reported that the Gill Fire Department, in conjunction with their counterparts in Turners Falls and Greenfield, have developed procedures to respond to a medical emergency or rescue situation involving the reconstruction of the Gill-Montague Bridge.

Two of the three junior firefighters who were reappointed on June 28th are already 18 years old, and the third will turn 18 before the end of July. In a letter to the Board the Fire Chief asked that Alden Winn, Luke Ketchum, and Paul Sweeney be appointed as probationary firefighters, not juniors. Ann made a motion, seconded by Randy, to change the three's appointments from junior firefighters to probationary firefighters, contingent upon successful health evaluations, if not already in their files. The change is effective immediately for Winn and Ketchum, and effective on Sweeney's 18th birthday. The vote was unanimous in the affirmative.

The Board also signed a purchase order for \$2,000 to Raymond Repair for the annual maintenance on the Fire Department's five vehicles (E1, E2, E3, S1, and Brush 4).

Pole Petition: The Board opened a Pole Hearing at 5:30pm. Don Fish from WMECO explained the joint request from WMECO and Verizon to install a utility pole on Center Road as shown on their plan 6F020300. WMECO will install an isolation switch on the pole, and this switch will allow them to better control delivery of electricity during emergency outages. No abutters attended the hearing, and no one spoke against the request. Earlier in the meeting Mick LaClaire, Highway Superintendent, told the Board that he approves of the request and of the proposed location. The Board mentioned to Mr. Fish that there are 4 places in town where there are still old poles standing next to new ones, and they would like to see the old ones removed. A list of those locations will be provided.

Ann made a motion, seconded by Randy, to grant approval of the request to place a pole along Center Road, contingent upon the utilities removing the old poles from the double pole sites. The vote was unanimous in the affirmative. The Pole Hearing was closed at 5:35pm.

GM Bridge Noise Complaint: Ray reported that Bob Callery of Riverview Drive had telephoned a complaint regarding the shot blast machine being used on the GM Bridge project. Ray has spoken with the project manager (Mark Pelletier, SPS) and learned that the machine will be parked in its present location (Gill end of the bridge) through July, and then will be moved onto the bridge. It will be running 6 days per week, with more long days than short ones, in order to get the shot blasting and repainting done during summer weather. Noise dampening panels have been installed around the machine, and it is unlikely that any further noise control measures will be taken. Ray has relayed this information to Mr. Callery.

Voting Machines Letter: At the request of the Town Clerk the Board signed a letter to the State Elections Division stating that the Accuvote Voting Machine will be used for the 9/14 State Primary and the 11/2 State Election.

Updated Anti-Harassment Policy: Ray presented an updated version of the Town's Anti-Harassment Policy. It needed to be revised because the contact information for the MCAD and EEOC was outdated. The Board accepted the new version as presented.

Warrants: The Board reviewed and signed FY10 Warrant #27 and FY11 Warrant #1.

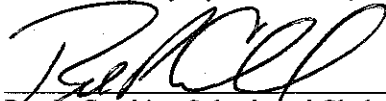
FY10 Line Item Transfers: Five members of the Finance Committee (Lee Stevens, Timmie Smith, Ronnie LaChance, Tupper Brown, and Jim Poulsen) joined the Selectboard at 6:00pm to review and approve departments' requests for line item transfers in the FY10 budget. After hearing explanations for each request, Ann made a motion, seconded by Randy, to approve the following transfers:

- \$250 to Assessors Clerk Salary from Solid Waste District
- \$400 to ZBA from Computers/Software/Servers
- \$20 to ZBA from Admin Asst. Expense
- \$133.76 to Solid Waste Removal from Solid Waste District
- \$341.01 to Bridges & Street Lighting from Town Hall Building Maintenance
- \$500 to Fire Dept. Expenses from Selectboard Expenses
- \$1700 to Fire Dept. Expenses from Legal Expenses
- \$350 to Fire Dept. Expenses from Solid Waste District
- \$489.68 to Treasurer Expenses from Property Insurance

The vote was unanimous in the affirmative. The Finance Committee also approved each transfer.

Adjournment: The meeting was adjourned at 6:20 p.m.

Minutes respectfully submitted by Ray Purington, Administrative Assistant.



Randy Crochier, Selectboard Clerk

Ray Purington/Gill Selectboard

From: Tracy Rogers [admin@townnfd.com]
Sent: Monday, June 28, 2010 10:05 AM
To: 'Mick LaClaire'
Cc: 'Ray Purington/Gill Selectboard'
Subject: John Miner

Hi Mickey,

My recollection of our conversation with John during his interview was that, given his many years of experience and his skill set we would try at his 6-month anniversary to move him up on the wage scale. John was reluctant to take the job for less than \$18.00/hr and we said we'd shoot for grade 5, step 2, which was \$17.92--as close to the \$18.00 as we felt we could get. We also, however, told John that we'd TRY, but couldn't promise, since the Selectboard would ultimately make that decision.

I didn't make any notes of that conversation, so this is only my recollection.

Tracy Rogers
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MONTAGUE HEALTH DEPARTMENT

One Avenue A · Turners Falls, MA 01376

Telephone 413 - 863 - 3200 Ext 205 · Fax 413 - 863 - 3225

GINA MCNEELY, R.S.
DIRECTOR OF PUBLIC HEALTH

RE: Pioneer Renewable Energy Proposal, Greenfield, MA

22 June 2010

Commissioner John Auerbach
Department of Public Health
250 Washington St.
Boston, MA 02108

Dear Commissioner Auerbach:

A Board of Health is authorized "...to regulate...atmospheric pollution, including...emission of smoke, *particulate matter*[PM], soot ...and dusts as may arise *within its bounds* and which constitute a nuisance, a danger to the public health, or impair the public comfort and convenience," (111 MGL 31c, emphasis added). A board may also regulate any trade or employment which "...*may...be... dangerous to the public health*" (111 MGL 143, emphasis added). Under neither statute does a town have authority beyond its borders.

Montague, particularly its village of Turners Falls, is immediately downwind of the proposed biomass plant where the proponent's own study found that the worst PM impacts would occur. We truly appreciate the efforts of the Town of Greenfield Board of Health to raise important public health issues concerning the proposed project and the town electorate's conscientiousness. However, if *our* elected public health body must rely on *others'* authority to protect the public health in our own community, guidelines and their application should be unassailable.

We are concerned with the application of certain federal and state air quality regulations that are outdated or applied inconsistently to circumstances for which there is limited local baseline data.

The Department of Environmental Protection's website states that, "In the Pioneer Valley region of Western Massachusetts, temperature inversions can result in higher particle pollution levels than otherwise would be expected". Countless studies indicate the deleterious effects of particulates on the incidence of pulmonary disease. Yet there has been no *publicly presented* data defining how many times annually on average such inversions occur in the upper valley, how long they last and what the typical concentrations are of pollutants in such circumstances.

The Project's projected measures for PM_{2.5} and 10 actually are close to or exceed "significant impact levels" (SILs) determined by EPA. The proponent assures the public that SILs are but fractions of the higher threshold National Ambient Air Quality Standards. Yet a regulated pollutant is still a pollutant, so we are concerned with how current and reliable is the public health science reflected in the SILs standards and monitoring benchmarks.

It is a 1980 EPA regulation that exempts preconstruction monitoring of ambient air quality if projected impact is less than "significant monitoring concentrations." We are concerned that these regulations may not reflect what we have learned about the health effects of PM over thirty years. We have seen too clearly the implications of lax regulation regarding the ongoing oil spill in the Gulf of Mexico.

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The proponent used EPA's "AERMOD" air quality modeling protocol to assess impacts. They used the "rural dispersion model" based on land use around the site. We note that a mile across the river, Turners Falls is less rural than similar to a densely populated urban center. This point is of particular concern as visible particulate matter settled in village precincts whenever a co-generating plant then sited there exercised its maintenance protocols. Two schools in Turners Falls already have statistically significant high pediatric asthma rates.

The proponents' Comprehensive Air Permit filing notes that "DEP guidance specifies use of the latest three years of monitoring data within 10km (6.2 mi) of the site". The nearest sampling station for PM 2.5 is at Chicopee... 47 km away. The other nearest monitors are in Ware, Pittsfield, Albany, Keene and Bennington. We are concerned that guidance calls for one thing and practice is nearly five times greater. Microclimates resulting from the tortuous topography between the site and Turners Falls are a very different matter for particulates emission than above the flood plain at Chicopee.

Notwithstanding the Project's reliance upon old standards and inconsistent measures, we believe that PM impact alone should require considerably more review and baseline data gathering. Without knowing where we actually started, we can only guess at the deterioration in air quality we are being asked to accept. At a minimum and in the absence of any larger commitment to analyzing long term public health impacts, there needs to be at least a 12 month baseline analysis of ambient air quality for *all* pollutants using on-site and Turners Falls monitors.

Finally, we note that the law empowers a Board of Health to regulate if it perceives that there *may* be a threat to public health. It is apparent that there *may* be a threat. We believe it is our responsibility to call for a statewide moratorium on all large scale biomass projects. We call also for a concerted effort by Boards of Health where such projects are in development to coordinate practical enforcement of such a moratorium under 111MGL143 pending a complete Massachusetts Department of Public Health review of appropriate current public health science with recommendations to the Governor concerning the viability of large scale biomass projects when public health is the first consideration rather than last.

Sincerely,



Michael Nelson, Chair, for the board
Christopher Boutwell
Jay DiPucchio

COPY:

Secretary Dr. Judy Ann Bigby, MEOHS
Asst. Commissioner Suzanne Condon, MDPH
Sen. Stanley Rosenberg
Rep. Steve Kulik
Marcia Benes, Executive Director, MAHB
Richard Day, President MHOA
Greenfield Board of Health
Randy Crochier, Gill Board of Health ✓
Deb Mathey, Erving Board of Health
Lonny Ricketts, Wendell Board of Health
John Pineo, Bernardston Board of Health
Mohawk Area Public Health Coalition

Ray Purington/Gill Selectboard

From: Allen Tupper Brown [atbrown.law@comcast.net]
Sent: Friday, July 02, 2010 5:20 PM
To: 'Ray Purington/Gill Selectboard'
Subject: RE: year-end transfers

We have 8 members and need five for a quorum. Two have responded that they can't come: Alden and Colleen. I'll call the others on Monday or before to confirm their presence.

-----Original Message-----

From: Ray Purington/Gill Selectboard [mailto:administrator@gillmass.org]
Sent: Friday, July 02, 2010 5:14 PM
To: atbrown.law@comcast.net; Ann Banash; johnrward@hotmail.com; Randy Crochier
Subject: year-end transfers

Here's what I have for year-end transfers to be approved by the Selectboard and FinCom on July 6 at 6pm. There will probably be another couple added to the list on Tuesday. Cross your fingers that's it, but there's one final warrant for FY10 on July 13.

RL/JP UNAN

\$250 to Assessors Clerk Salary from Solid Waste District (amount budgeted was too low for step that Lynda is on)

400 ~~RL/JP~~ LS VI (\$20.00 from Admin Asst Expense RL/LS UNAN
\$350 to ZBA from Computers/Software/Servers (original budget didn't have enough clerical hours to cover the ZBA need. This has hopefully been addressed in next year's budget.)

LS/RL UNAN

\$133.76 to Solid Waste Removal from Solid Waste District (budget would have been ok except for those 3.3 extra tons of trash on June 4, the Friday after the power outage and spoiled freezers & fridges.)

RL/LS UNAN

\$341.01 to Bridges & Street Lighting from Town Hall Building Maint. (budget just wasn't quite enough. Has been increased for FY11.)

JP/RL UNAN

\$2,550 to Fire Dept. Expenses from Selectboard Expenses (500), Legal Expenses (1700), and Solid Waste District (350) (Needed to cover their encumbrance for the turnout gear. They would have been ok except for higher than normal expenses toward mutual aid calls.)

\$ 489.68 to Treas. Exp JP/LS UNAN
from ~~Reserve Fund~~ Property Insurance

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AB/RC UNAN

single motion for all listed above

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