

# TOWN OF GILL

MASSACHUSETTS



[www.gillmass.org](http://www.gillmass.org)

## SELECTBOARD MEETING MINUTES

*December 5, 2011*

Call to Order: The meeting was called to order at 4:30pm.

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

Others Present: David Detmold

Remote Participation: The Board discussed newly issued guidelines (940 CMR 29.10) from the Attorney General's Office that allow for remote participation at public meetings by members who are not able to be physically present at a meeting. John made a motion, seconded by Randy, to allow remote participation for all public bodies of the Town of Gill in accordance with the Open Meeting Law and 940 CMR 29.10. The vote was unanimous in the affirmative.

Randy stated that he received a request from Ann Banash requesting to participate remotely in tonight's meeting, if remote participation was voted to be allowed. Her request stated geographic distance (Florida) as the reason she cannot attend in person. Ann joined the meeting at 4:40pm via speakerphone. It was noted that meetings with a remote participant must use roll call for all votes.

Minutes: John made a motion, seconded by Randy, to approve the minutes of 11/7. Randy – yes; John – yes; Ann – yes. The vote was unanimous in the affirmative.

Public Safety Complex Boiler: Ray advised the Board that the bid specs for the boiler replacement project at the PSC are 99% complete. Based on a conversation with the FRCOG's Chief Procurement Officer, Ray recommends delaying advertising the project until after the holidays, especially since 1) the work won't be performed until after this heating season; and 2) Town Meeting still needs to appropriate funds. The Board tentatively set Tuesday, January 17<sup>th</sup> as the date for a Special Town Meeting. This date should remove the pre-holiday pressures, and allow enough time for the Finance Committee and Capital Improvement Planning Committee to review the project.

4:55pm Ronnie LaChance joined the meeting.

Siemens Project Update: The energy efficiency project at the Elementary School is largely down to punch list-type items, with the exception of restoring heat to the General Purpose Room. District maintenance staff have repaired the air handling unit and fixed the leaks in the steam lines to the room's radiator, and are now waiting for Siemens' plumbers to reconnect the steam lines from the boiler. In the coming weeks Ray will be writing the final report to DOER for the EECBG grant.

5:00pm Alain Peteroy (Franklin Land Trust) and Dick French joined the meeting.

Conservation Restriction: Alain Peteroy and Dick French explained a Conservation Restriction on a 30-acre parcel of land on Ben Hale Road that Dick French and Emily Samuels wish to donate to the Conservation Commission. This is the same property that was discussed and voted on December 1, 2010. The Office of the Secretary of Energy and Environmental Affairs required changes to the 2010 CR that was accepted by the Conservation Commission and approved by the Selectboard, so the CR was never recorded. The Conservation Commission will be acting on this CR at its meeting tomorrow, 12/6. The Board is being asked to reaffirm its vote of 12/1/2010. John made a motion, seconded by Randy, to reaffirm the Selectboard's vote from 12/1/2010 in which it approved a Conservation Restriction on 30 acres on Ben Hale Road. Randy – yes; John – yes; Ann – yes. The vote was unanimous in the affirmative. John and Randy signed the CR, and Ronnie notarized the signatures. Ronnie, Dick, and Alain left the meeting.

Disasters: Ray reported that the Town had submitted its reimbursement request to FEMA for expenses related to Tropical Storm Irene. FEMA reimburses at a 75% rate, which amounts to \$9,968 for Gill. The Halloween snowstorm is estimated to have cost the Town \$33,000. That storm has not yet been declared a "major disaster" by the President; once that declaration is made, those costs will also be eligible for a 75% FEMA reimbursement. The Board read a letter from Dick and Sue Colgan of Franklin Road that praised the fine work of the Highway Department during the cleanup from that snowstorm.

Open Space & Recreation Plan: The update to the Town's Open Space & Recreation Plan is nearly complete, and a draft copy will be going to the State for preliminary review this week. A copy of the Plan will be uploaded to the Town's website so that town boards and the general public may review and comment on it. A number of town boards and local land trusts will be asked for letters in support of the Plan.

CDBG Application: The Board reviewed a Program Income Plan that the FC Regional Housing & Redevelopment Authority proposes to include in this year's Community Development Block Grant application. The plan calls for repayments of CDBG housing rehab loans to be re-used in a revolving fund for an ongoing housing rehab loan program. The Board noted two places in the document where "Colrain" should be "Gill", but otherwise had no objections to the Plan. Ray will communicate this to the FCRHRA.

Council on Aging Appointments: The Board read a request from Bev Demars, Chair of the Gill Council on Aging, to appoint Jean Smith and Diane Boutin to the Council. Ann made a motion, seconded by John, to appoint Jean Smith and Diane Boutin to the Council on Aging for terms through 6/30/2012. Randy – yes; John – yes; Ann – yes. The vote was unanimous in the affirmative.

Council on Aging Grant: John made a motion, seconded by Ann, to accept and authorize the Chair to sign the grant contract for the \$3,500 FY12 COA Formula Grant. Randy – yes; John – yes; Ann – yes. The vote was unanimous in the affirmative, and Randy signed the contract.

Police Appointment: John made a motion, seconded by Ann, to appoint Lloyd Brooks Jr. as a Part-Time Police Officer. Randy – yes; John – yes; Ann – yes. The vote was unanimous in the affirmative.

David Detmold left the meeting.

Sewer Commitment: John made a motion, seconded by Ann, to sign the sewer commitment to the Tax Collector dated 11/30/11 for \$11,884.18. Randy – yes; John – yes; Ann – yes. The vote was unanimous in the affirmative, and Randy and John signed the commitment.

GMRSD Enrollments: The Board reviewed the District-supplied October 1, 2011 enrollment figures and the corresponding assessment percentages for FY13 operating and capital costs. Gill's share of the operating budget will decrease from 15.0% to 14.4%, while its share of capital costs will increase from 11.8% to 12.1%. The Board asked Ray to get further details on Gill's student population as the various schools in the district.

FCSWMD FY13 Budget: The Board reviewed the proposed FY13 budget for the Franklin County Solid Waste Management District. Gill's assessment is projected to increase \$114, from \$3,168 to \$3,282. This is the first year that the 2010 US Census population is used in the assessment formula, which accounts for the increase. It is hoped that other aid, such as Chapter 90, will increase because of the higher population figures, and offset some of these assessment increases.

Holiday Schedule: Because Christmas and New Year's Day both fall on a Sunday this year, the holiday for employees will be Monday 12/26 and 1/2. In a followup to the 11/7 discussion on holiday pay, the Board decided to make no changes to the status quo, and refer the matter to the Personnel Committee for review and a recommendation.

House Bill H1972: The Board reviewed a request from William Campbell, Woburn City Clerk, to support H1972, "An Act Regulating Election Primaries." Noting that the supplied information felt incomplete, Ray explained that he has asked Brian Eno, Rep. Denise Andrews' legislative aide, for more information on this bill. The Board tabled the matter until more information becomes available.

6:34pm Ann left the meeting, remotely.

Warrant: Randy's son Michael, a Gill firefighter, appears on the payroll warrant for this week. Due to the conflict of interest, Randy would normally abstain from signing the warrant. However, since two signatures are required to approve the warrant, the Board invoked the Rule of Necessity, which permitted Randy's participation and allowed the Board to act upon the warrant. The Board reviewed and signed FY 2012 warrant #12.

Adjournment: The Selectboard meeting adjourned at 7:00 p.m.

*Minutes respectfully submitted by Ray Purington, Administrative Assistant.*

  
\_\_\_\_\_  
Ann H. Banash, Selectboard Clerk

**29.08: Advisory Opinions**

The Attorney General may issue advisory opinions on request or at his or her own initiative to provide guidance to public bodies and the public on changes to M.G.L. c. 30A, sec. 18-25, court decisions interpreting M.G.L. c. 30A, sec. 18-25, or other developments concerning M.G.L. c. 30A, sec. 18-25.

(1) The Attorney General shall ordinarily make a draft advisory opinion available for comment on the Attorney General's website at least 60 days prior to the planned issuance of the opinion. Notice of the posting shall be provided to the Commission.

(2) Comments on the draft advisory opinion shall be submitted, in writing, to the Attorney General at least 30 days prior to the planned issuance of the opinion.

(3) Action taken by a public body in good faith compliance with an advisory opinion, provided that the circumstances are not materially different, shall not constitute an intentional violation of the M.G.L. c. 30A, sec. 18-25.

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**29.09: Other Enforcement Actions**

Nothing in 940 CMR 29.06 or 29.07 shall limit the Attorney General's authority to file a civil action to enforce M.G.L. c. 30A, sec 18-25 M.G.L. c. 30A, sec. 18-25 pursuant to M.G.L. c. 30A, sec. 23(f).

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**29.10: Remote Participation**

(1) Preamble. Remote participation may be permitted subject to the following procedures and restrictions. However, the Attorney General strongly encourages members of public bodies to physically attend meetings whenever possible. By promulgating these regulations, the Attorney General hopes to promote greater participation in government. Members of public bodies have a responsibility to ensure that remote participation in meetings is not used in a way that would defeat the purposes of the Open Meeting Law, namely promoting transparency with regard to deliberations and decisions on which public policy is based.

(2) Adoption of Remote Participation. Remote participation in meetings of public bodies is not permitted unless the practice has been adopted as follows:

(a) Local Public Bodies. The Chief Executive Officer, as defined in M.G.L. c. 4, sec. 7, must authorize or, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that authorization or vote applying to all subsequent meetings of all local public bodies in that municipality.

(b) Regional or District Public Bodies. The regional or district public body must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote

B.O.S.

applying to all subsequent meetings of that public body and its committees.

(c) Regional School Districts. The regional school district committee must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(d) County Public Bodies. The county commissioners must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of all county public bodies in that county.

(e) State Public Bodies. The state public body must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(f) Retirement Boards. A retirement board created pursuant to M.G.L. c. 32, sec. 20 or M.G.L. c. 34B, § 19 must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(3) Revocation of Remote Participation. Any person or entity with the authority to adopt remote participation pursuant to 940 CMR 29.10(2) may revoke that adoption in the same manner.

(4) Minimum Requirements for Remote Participation.

(a) Members of a public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other;

(b) A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c. 30A, sec 20(d);

(c) Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c. 39, sec. 23D.

(5) Permissible Reasons for Remote Participation. If remote participation has been adopted in accordance with 940 CMR 29.10(2), a member of a public body shall be permitted to participate remotely in a meeting, in accordance with the procedures described in 940 CMR 29.10(7), if the chair or, in the chair's absence, the person chairing the meeting, determines that one or more of the following factors makes the member's physical attendance unreasonably difficult:

- (a) Personal illness;
- (b) Personal disability;
- (c) Emergency;
- (d) Military service; or
- (e) Geographic distance.

(6) Technology.

(a) The following media are acceptable methods for remote participation. Remote participation by any other means is not permitted. Accommodations shall be made for any public body member who

requires TTY service, video relay service, or other form of adaptive telecommunications.

(i) telephone, internet, or satellite enabled audio or video conferencing;

(ii) any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another.

(b) When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.

(c) The public body shall determine which of the acceptable methods may be used by its members.

(d) The chair or, in the chair's absence, the person chairing the meeting, may decide how to address technical difficulties that arise as a result of utilizing remote participation, but is encouraged, wherever possible, to suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred shall be noted in the meeting minutes.

(e) The amount and source of payment for any costs associated with remote participation shall be determined by the applicable adopting entity identified in 940 CMR 29.10(2).

(7) Procedures for Remote Participation.

(a) Any member of a public body who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the chair or, in the chair's absence, the person chairing the meeting, of his or her desire to do so and the reason for and facts supporting his or her request.

(b) At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason under 940 CMR 29.10(5) for his or her remote participation. This information shall also be recorded in the meeting minutes.

(c) All votes taken during any meeting in which a member participates remotely shall be by roll call vote.

(d) A member participating remotely may participate in an executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by a simple majority vote of the public body.

(e) When feasible, the chair or, in the chair's absence, the person chairing the meeting, shall distribute to remote participants, in advance of the meeting, copies of any documents or exhibits that he or she reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with M.G.L. c. 30A, sec. 22.

(8) Effect on Bylaws or Policies. These regulations do not prohibit any municipality or public body from adopting bylaws or policies that prohibit or further restrict the use of remote participation by public bodies within its jurisdiction.

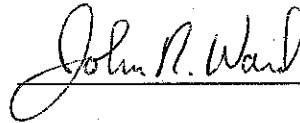
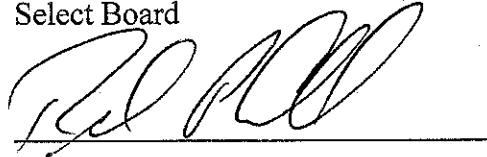
(9) Remedy for Violation. If the Attorney General determines, after investigation, that 940 CMR 29.10 has been violated, the Attorney General may resolve the investigation by ordering the public body to temporarily or permanently discontinue its use of remote participation.

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## APPROVAL OF BOARD OF SELECTMEN

We, the undersigned, being a majority of the Board of Selectmen of the Town of Gill, Franklin County, Massachusetts, hereby certify that at a public meeting duly held on the 5<sup>th</sup> day of December, 2011, the Board voted to approve the foregoing Conservation Restriction to the Conservation Commission of the Town of Gill, pursuant to Section 32 of Chapter 184 of the General Laws of Massachusetts.

Select Board

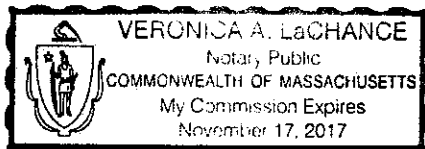


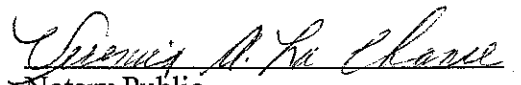
## THE COMMONWEALTH OF MASSACHUSETTS

Franklin, ss:

On this 5<sup>th</sup> day of December, 2011, before me, the undersigned Notary Public, personally appeared Lancy Prichard + John Ward, proved

to me through satisfactory evidence of identification to be the persons whose names are signed above, viz., personal knowledge, and acknowledged to me that they signed it voluntarily for its stated purpose as Selectmen for the Town of Gill.



  
Notary Public  
My commission expires: 11/17/2011



Nov 15, 2011

Dear Selectmen,

Many thanks to  
Mitch and his crew for  
the timely clean up of the  
Gill Streets after the  
October snowstorm. We  
appreciate his count-less  
"Drive-bys" to insure our  
roads were safe and we  
were able to travel about.  
Great to have small town  
concern.

Dick : Sue Cogan  
Franklin Rd

**PROGRAM INCOME PLAN:**

The following Program Income Plan will govern funds that will be recaptured by the Town of Erving, Colrain, Deerfield and Gill Community Development Block Grant Housing Rehabilitation Program.

**Housing Rehabilitation**

1. Owner-Occupants (Single Family): Funds will be returned as a result of the recovery of liens placed on residential properties. The deferred payment loan will be repaid upon sale or transfer of the property with no interest assessed.
2. Owner-occupants (Multi-Family 2-4 units): Funds will be returned as a result of the recovery of liens placed on owner-occupied multi-family properties. The Deferred Payment Loan will be repaid upon sale or transfer of the property with no interest assessed; however, if the rental agreement is breached by selling or transferring the property within the first fifteen (15) years, a 15% penalty will be assessed in addition to the principal.

Funds returned from repayment of housing rehabilitation loans (50% of funds loaned, as per program design) and penalties will be recorded as program income to the towns of Erving, Colrain, Deerfield and Colrain. These funds shall be used for future housing rehabilitation loans in the towns of Erving, Colrain, Deerfield and Colrain. Eligibility criteria for loans from this source shall be the same as for loans under the original grant.

The Towns intend to execute an agreement with the Franklin County Regional Housing & Redevelopment Authority (HRA) to hold program income funds from this source in a Housing Rehab Revolving Loan Fund, and administer an ongoing housing rehabilitation loan program on behalf of the Town. Pursuant to the terms of the agreement to be executed with HRA, administrative costs incurred in using the funds from the Housing Rehabilitation Revolving Loan Fund for projects shall not exceed 18% in total administrative costs. HRA will charge an additional fee to cover costs of processing subordination requests, discharges and other loan servicing over the life of the loan.

The Towns do not foresee program income monies being available for use in the near future. Deferred payment loans are recorded mortgage liens due only upon sale or transfer of the property. It is estimated that approximately \$ 115,428 will be returned in the next 10 years, and \$173,142 over the subsequent 30 years to the Town.

November 29, 2011

Gill Board of Selectmen  
325 Main Road  
Gill, MA 01354

Dear Board:

As the Chair of the Gill Council on Aging I am asking that Jean Smith and Diane Boutin be appointed to the Gill Council.

Jean has been very active in the center volunteering for special projects and working out with the aerobics class usually three times a week. She is very interested in joining the Gill Council. Jean is a resident of Stoughton Place.

Diane, from Oak Street, is a walker on Tuesdays and has volunteered for many events over the past few years. She is always willing to lend a hand when we need seniors to help with programs. She has also agreed to join our group and we know she will be an active member of the Council.

Currently there is only Renee Jenkins and myself on the Gill Council on Aging. Audrey Ambo is unable to attend meetings and we are still missing our friend and council member Joe Naida, who recently passed away.

Jean and Diane will bring the Gill Council back up to four members. Renee and I ask that you please consider both Jean Smith and Diane Boutin for appointments. You will be pleased with their involvement in the Gill Council.

Thank you for your help with this request. And -- keep up the good work!!!!

Sincerely,

Beverly L. Demars  
Gill Council on Aging Chair

P.S. I am currently at Bethesda with my son Chris. My cellphone is 413/768-7537 if you need any additional information.

# COMMONWEALTH OF MASSACHUSETTS - STANDARD CONTRACT FORM



This form is jointly issued and published by the Executive Office for Administration and Finance (ANF), the Office of the Comptroller (CTR) and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. Any changes to the official printed language of this form shall be void. Additional non-conflicting terms may be added by Attachment. Contractors may not require any additional agreements, engagement letters, contract forms or other additional terms as part of this Contract without prior Department approval. Click on hyperlinks for definitions, instructions and legal requirements that are incorporated by reference into this Contract. An electronic copy of this form is available at [www.mass.gov/eoc](http://www.mass.gov/eoc) under Guidance For Vendors - Forms or [www.mass.gov/eoc](http://www.mass.gov/eoc) under OSD Forms.

<b>CONTRACTOR LEGAL NAME:</b> TOWN OF GILL		<b>COMMONWEALTH DEPARTMENT:</b> Executive Office of Elder Affairs	
<b>Legal Address:</b> 325 MAIN RD GILL, MA 01376		<b>MMARS Department Code:</b> ELD	
<b>Contract Manager:</b> Robert Potter		<b>Business Mailing Address:</b> One Ashburton Place, 5th Floor Boston, MA 02108	
<b>E-Mail:</b> <a href="mailto:robert.potter@gill.ma.us">robert.potter@gill.ma.us</a>		<b>Billing Address (if different):</b>	
<b>Phone:</b> 413-863-4500 <b>Fax:</b>		<b>Contract Manager:</b> Emmett Schmarsow	
<b>Contractor Vendor Code:</b> VC8000191768		<b>E-Mail:</b> <a href="mailto:Emmett.schmarsow@state.ma.us">Emmett.schmarsow@state.ma.us</a>	
<b>Vendor Code Address ID:</b> AD001		<b>Phone:</b> 617-222-7471 <b>Fax:</b> 617-727-9363	
<b>(Note: The Address ID must be set up for EFT payments.)</b>		<b>MMARS Doc ID(s):</b> CTLED 12COA10600000002012	
		<b>RFR/Procurement or Other ID Number:</b>	
<b>XX NEW CONTRACT</b> <b>PROCUREMENT OR EXCEPTION TYPE (Check one option only)</b> <input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department) <input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget) <input type="checkbox"/> Department Procurement (includes State or Federal grants 815 CMR 2.00; (Attach RFR and Response or other procurement supporting documentation) <input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget) <input type="checkbox"/> Contract Employee (Attach Employment Status Form, scope, budget) <input checked="" type="checkbox"/> Legislative/Regulatory or Other: COA FORMULA GRANT		<b>___ CONTRACT AMENDMENT</b> Enter Current Contract End Date <u>Prior to Amendment:</u> ____ 20 ____ Enter Amendment Amount \$ ____ (or no change) <b>AMENDMENT TYPE (Check one option only. Attach details of Amendment changes.)</b> <input type="checkbox"/> Amendment to Scope or Budget (Attach updated scope and budget) <input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> Contract Employee (Attach any updates to scope or budget) <input type="checkbox"/> Legislative/Regulatory or Other (Attach authorizing language justification and updated scope and budget)	
The following <b>COMMONWEALTH TERMS AND CONDITIONS (T&amp;C)</b> has been executed, filed with CTR and is incorporated by reference into this Contract.			
<input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services			
<b>COMPENSATION:</b> (Check ONE option). The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. <input type="checkbox"/> Rate Contract (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended). <input checked="" type="checkbox"/> Maximum Obligation Contract. Enter Total Maximum Obligation for total duration of this Contract (or new Total if Contract is being amended): <b>\$3,500.00</b>			
<b>PROMPT PAYMENT DISCOUNTS (PPD):</b> Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ____ % PPD; Payment issued within 15 days ____ % PPD; Payment issued within 20 days ____ % PPD; Payment issued within 30 days ____ % PPD. If PPD percentages are left blank, identify reason: <input checked="" type="checkbox"/> agree to standard 45 day cycle <input type="checkbox"/> statutory/legal or Ready Payments (G.L. c. 29, s. 23A) <input type="checkbox"/> only initial payment/subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.			
<b>BRIEF DESCRIPTION OF CONTRACT PERFORMANCE OR REASON FOR AMENDMENT:</b> This contract is to locally distribute a formula grant award to the Council on Aging of the municipalities of the Commonwealth. The award amount is determined by a census-based allocation of available grant funding. Funds may support Council on Aging activities as identified in the annually published COA Formula Grant Guide. The activity performance period for this award is 7/1/2011 - 6/30/2012. The municipality will complete a final fiscal report accounting for how these grant funds were applied. Ongoing eligibility for formula grant funding is contingent on satisfactory prior year performance.			
<b>ANTICIPATED START DATE:</b> (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: ___ 1. may be incurred as of the <b>Effective Date</b> (last signature date below) and no obligations have been incurred <b>prior to the Effective Date</b> . ___ 2. may be incurred as of ____ 20 ____ a date <b>LATER</b> than the <b>Effective Date</b> below and no obligations have been incurred <b>prior to the Effective Date</b> . <input checked="" type="checkbox"/> 3. were incurred as of <b>JULY 1<sup>st</sup> 2011</b> , a date <b>PRIOR</b> to the <b>Effective Date</b> below, and the parties agree that payments for any obligations incurred prior to the <b>Effective Date</b> are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into it's Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
<b>CONTRACT END DATE:</b> Contract performance shall terminate as of <b>JUNE 30<sup>th</sup> 2012</b> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments; or during any lapse between amendments.			
<b>CERTIFICATIONS:</b> Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor makes all certifications required under the attached <b>Contractor Certifications</b> (incorporated by reference if not attached hereto) under the pains and penalties of perjury, agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence: the applicable <b>Commonwealth Terms and Conditions</b> , this Standard Contract Form including the <b>Instructions and Contractor Certifications</b> , the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in 801 CMR 21.07, incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
<b>AUTHORIZING SIGNATURE FOR THE CONTRACTOR:</b> X: Date: <u>12/5/11</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <b>RANDY CROCHIER</b> Print Title: <b>CHAIR - SELECT BOARD</b>		<b>AUTHORIZING SIGNATURE FOR THE COMMONWEALTH:</b> X: _____ Date: _____ (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <b>PETER J. TIERNAN</b> Print Title: <b>Director of Administration and Finance</b>	

# TOWN OF GILL

MASSACHUSETTS



[www.gillmass.org](http://www.gillmass.org)

## OFFICE OF THE BOARD OF SEWER COMMISSIONERS Sewer Use Charges and Inspection Fees

To: Town Accountant

You are hereby notified that COMMITMENT(S) as shown below has (have) this day been made by the Board of Sewer Commissioners to Veronica LaChance, Tax Collector (Town Collector) and Collector of Sewer Charges. Bill date is December 7, 2011.

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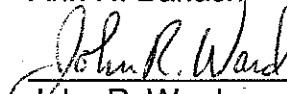
To: Veronica LaChance, Tax Collector (Town Collector) and Collector of Sewer Charges for the Town of Gill in the County of Franklin:

You are hereby required to collect from the several persons named in the list dated November 30, 2011, herewith committed to you the amount of the sewer usage charges assessed therein to each such person, with penalties, the sum total of such list being Eleven Thousand Eight Hundred Eighty Four and 18/100 Dollars (\$11,884.18).

Given under our hands the Fifth day of December, 2011.

  
\_\_\_\_\_  
Randy Crochier

Ann H. Banash  
\_\_\_\_\_  
Ann H. Banash

  
\_\_\_\_\_  
John R. Ward  
Board of Sewer Commissioners of the Town of Gill



# Gill-Montague Regional School District

Director of Business/Operations  
Lynn M. Bassett

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November 8, 2011

To: GMRSD School Committee  
Re: FY13 Town Appropriation Percentages

Based upon the district regional agreement, the apportionment of district operating cost is determined by the official October 2011 enrollment of resident students from each member Town as reported to the DESE. The October 2011 resident student enrollments are as follows;

## Resident Enrollment:

Town of Gill	+	Town of Montague	=	Total District Residents (K-12)
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120 (K-12)		711 (K-12)	=	831

\*Determine each Town % of Operating Costs;

Gill:	120/831	= .144
Montague	711/831	= .856

\*Determine each Town % of Capital Costs;

Town of Gill	+	Town of Montague	=	Total Secondary (TFHS/GFMS) Residents
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49 (6-12)		355 (6-12)	=	404

Gill;	49/404	= .121
Montague	355/404	= .879

Respectfully submitted,

Lynn Bassett (Director of Business/Operations)

# FCSWMD Assessment Calculations for Fiscal Year 2013

Assessment at \$118,593 (60% of administrative overhead)

50% of assessment total is calculated using population; 50% using EQV

Town	Pop. 2010	Pop. Asmt.	2010 EQV	EQV Asmt.	Total '13 Asmt.	FY12 Asmt.	\$ Diff. FY12 to '13
Bernardston	2,129	\$2,510	\$224,539,000	\$2,123	\$4,633	\$4,738	-\$105
Buckland	1,902	\$2,243	\$223,781,300	\$2,115	\$4,358	\$4,533	-\$175
Charlemont	1,266	\$1,493	\$142,452,100	\$1,347	\$2,839	\$2,995	-\$156
Colrain	1,671	\$1,970	\$177,419,700	\$1,677	\$3,648	\$3,876	-\$228
Conway	1,897	\$2,237	\$268,805,700	\$2,541	\$4,778	\$4,743	\$35
Deerfield	5,125	\$6,043	\$716,913,500	\$6,777	\$12,820	\$12,560	\$260
Erving	1,800	\$2,122	\$630,436,000	\$5,960	\$8,082	\$7,780	\$302
Gill	1,500	\$1,769	\$160,032,300	\$1,513	\$3,282	\$3,168	\$114
Hawley	337	\$397	\$51,194,800	\$484	\$881	\$893	-\$12
Heath	706	\$832	\$97,776,200	\$924	\$1,757	\$1,902	-\$145
Leverett	1,851	\$2,183	\$283,954,600	\$2,684	\$4,867	\$4,712	\$155
Leyden	711	\$838	\$91,722,200	\$867	\$1,705	\$1,805	-\$100
Montague	8,437	\$9,949	\$775,627,100	\$7,332	\$17,281	\$17,624	-\$343
New Salem	990	\$1,167	\$125,334,300	\$1,185	\$2,352	\$2,314	\$38
Northfield	3,032	\$3,575	\$408,565,300	\$3,862	\$7,438	\$7,452	-\$14
Orange	7,839	\$9,243	\$573,844,800	\$5,425	\$14,668	\$14,529	\$139
Rowe	393	\$463	\$288,086,600	\$2,723	\$3,187	\$3,171	\$16
Shelburne	1,893	\$2,232	\$239,243,500	\$2,262	\$4,494	\$4,761	-\$267
Sunderland	3,684	\$4,344	\$365,984,600	\$3,460	\$7,804	\$8,040	-\$236
Warwick	780	\$920	\$89,293,600	\$844	\$1,764	\$1,755	\$9
Wendell	848	\$1,000	\$96,093,800	\$908	\$1,908	\$2,104	-\$196
Whately	1,496	\$1,764	\$241,337,900	\$2,281	\$4,045	\$4,197	-\$152
Total	50,287	\$59,296	\$6,272,438,900	\$59,296	\$118,592	\$119,652	-\$1,060

Average -\$92

**William C. Campbell**  
**Woburn City Clerk**

October 11, 2011

Lynda Hodsdon Mayo, Town Clerk  
Gill Town Hall  
325 Main Road  
Gill, MA 01354

Dear Clerk Mayo:

Enclosed please find a proposed Resolution in support of H1972 "An Act Regulating Election Primaries" now pending before the General Court at the State House. I request that you forward this matter to your Board of Selectmen for placement on their agenda for action.

Adoption of H1972 will ensure that the votes of our troops serving overseas will count on election day and will save taxpayers at least \$8,000,000.00 by streamlining elections. The Department of Defense Federal Voting Assistance Program (FVAP), in written testimony supporting the bill, noted that the bill is in line with federal law and is also in line with a number of states that have recently moved their primary elections earlier in the year to comply with the federal requirement. The FVAP testimony concluded **"passing HB1972 will significantly improve voter success for many military members, overseas voters, and their families."**


In the 2010 State election, the Commonwealth requested a waiver from the federal MOVE Act, which requires that, at least 45 days before an election, ballots be sent to Americans overseas. The only reason for the Secretary's waiver request was "due to a late primary." The temporary solution was a bill that allowed our troops to vote by fax or email, but the voter was required to sign a statement waiving his or her right to a secret ballot.

Deadlines for the 2012 election are approaching quickly. To be effective, this bill has to be passed soon. **The support of your Board of Selectmen now will move the bill forward.** It is important that our state legislators hear from their constituents of their support for H1972. More importantly, our troops deserve to know that their votes count.

A bill summary and a copy of the FVAP testimony are enclosed. If I can provide any additional information, please feel free to contact me.

Thank you for your support in moving along this important legislation.

Very truly yours,

  
William C. Campbell

P.O. Box 2, Woburn, Massachusetts 01801  
wcampbell40@yahoo.com



## RESOLVED

Whereas, according to the Department of Defense Federal Voting Assistance Program (FVAP), there are 11,691 active military duty Massachusetts residents residing overseas; and

Whereas, for the November 2010 election, Massachusetts requested a waiver from a requirement of the Military and Overseas Voter Empowerment Act (the MOVE Act) to send absentee ballots to Americans overseas at least 45 days before an election "due to a late primary"; and

Whereas, a report by the Secretary of the Commonwealth revealed that in the November 2010 election only 400 ballots from Massachusetts active duty military personnel stationed overseas were counted; and

Whereas, the General Court is considering H1972 "An Act Regulating State Primaries", a bill that moves the state primary to allow Massachusetts residents residing overseas to vote privately and securely, and combines the presidential primary with the state primary to save taxpayers at least \$8,000,000.00; and

Whereas, a number of states have moved their primary dates earlier in the year to comply with the federal MOVE Act and to provide relief to taxpayers by reducing the cost of elections; and

Whereas, the Massachusetts state primary scheduled for September 18, 2012 stands alone as the last state primary in the country in 2012; and

Whereas, in written testimony the FVAP concluded "passing HB1972 will significantly improve voter success for many military members, overseas voters, and their families"; and

Whereas, HB1972 simplifies the election process, decreases the opportunity for "voter fatigue", reduces the cost of elections for taxpayers, and establishes fairness among candidates;

Now, Therefore, Be It Resolved by the \_\_\_\_\_ of the [Town/City] of \_\_\_\_\_ that the [Town/City] of \_\_\_\_\_ supports the adoption of HB1972 "An Act Regulating Election Primaries" pending before the 187<sup>th</sup> General Court of the Commonwealth of Massachusetts and directs the [Town/City] Clerk to transmit a copy of this action to the municipality's State Delegation and to the Joint Committee on Election Laws.