



The Selectboard
TOWN OF WESTHAMPTON
TOWN HALL
1 SOUTH ROAD
WESTHAMPTON, MASSACHUSETTS 01027

MINUTES of the MEETING
Monday, February 13, 2023, at 7:00 PM

The Westhampton Selectboard scheduled a regular meeting to be held on Monday, February 13, 2023, at 7:00 PM at the Town Offices, 1 South Road, and via video-conference.¹

Call to Order

The meeting was called to order at 7:00 PM by Phil Dowling, Chair.

PRESENT: Phil Dowling, Scott Johndrow, Maureen Dempsey

ALSO PRESENT: Ms. Kelli Wainscott, Ms. Aimee Burnham, Ms. Patty Cotton, Ms. Judy Madzunovic, Mr. Douglas Finn.

By Remote conferencing: Mr. Michael Di Iturrondo, Ms. Mary Lou Burgess.

POLE HEARING

In accordance with Section 22 of Chapter 166 of the General Law, the Westhampton Selectboard will hold a public hearing on Monday, February 13, 2023 at 7:00 PM, at the request of Albert Bessette, Right of Way Manager for Verizon, on behalf of VERIZON NEW ENGLAND INC for permission to locate a pole, wires, conduit, cables and fixtures to be owned and used in common by your petitioner, along and across the following public way or ways:

LOUDVILLE ROAD: Road Place one (1) at solely owned pole numbered T.112S on the east side of Loudville Road (east segment) at a point approximately seventy (70) feet northerly and from the centerline of the intersection of the west segment of Loudville Road.

REASON: Place (1) one solely of owned pole to provide lateral support to existing pole T.112; and for the distribution of intelligence and communications.

Mr. Dowling opened the public hearing at 7:01 PM.

Presentation / Public Comment.

Mr. Michael De Iturrondo reviewed the application.

There was some public comment.

After brief deliberation, it was MOVED by Dowling, SECONDED by Johndrow

To approve the application as presented.

VOTED: 3, 0, 0. (7:05 PM)

The public hearing was closed at 7:05 PM.

¹ Pursuant to Chapter 20 of the Acts of 2021, the meeting was conducted as a "hybrid" (in-person / remote) meeting. Members of the public could access the meeting in person, or connect via "zoom" teleconferencing via internet – Meeting ID#: 870 4390 0582.

DEPARTMENT AND COMMITTEE UPDATES

Animal Control Officer Candidate

Ms. Kelli Wainscott was present, and provided an updated resume to the Selectboard.

There was some discussion relative to the state of the Town's bylaws, the current job description, and the expectations of Ms. Wainscott and the Town of Westhampton.

After brief discussion, Mr. Dowling reiterated the offer of the position to Ms. Wainscott who verbally accepted. Ms. Wainscott was advised to connect with the Town's treasurer to complete all necessary paperwork.

Highway (Bill Jablonski)

Mr. Jablonski was absent.

Health (Robby Armenti)

Ms. Armenti noted the next meeting will be on Thursday of this week; the board of health are looking into getting Narcan kits, Narcan boxes, and flyers sent out to help promote the availability and proper use of Narcan.

Ms. Armenti was interested in managing a flu clinic if the town wanted to sponsor or hold one.

Ms. Armenti also briefly spoke about the potential for holding CPR classes.

Ms Armenti was asked to provide a summary of requests once the Board of Health voted to proceed with any of the given programs.

Mr. John Shaw noted that the CPR classes must be taught by certified instructors; Ms. Armenti agreed.

There was some discussion related to the type of training, who would lead it, what certification would be provided, and what the costs might be for participants.

Mr. Shaw recommended that the Board of Health get additional information about the proposal, and provide a discussion with the Town's EMTs in regard to the proposal.

Ms. Armenti noted that Lauren Davin would be in touch.

Public Safety Building (Phil Dowling)

Mr. Dowling noted ongoing progress on finalizing construction activities, and that the Police and Fire Department are actively in the building.

Curtains have been ordered, and security screens will be installed on the Police side of the building.

Mr. Dowling confirmed that the Police and Fire are actively in the building.

Financial Services proposal

The board reviewed a proposal from Marcum LLP to assist in Treasurer work to bring the town's records and work up to date.

Mr. Dowling engaged the Treasurer and Collector in a conversation about whether the work is necessary.

There was some discussion as to the specifics of the proposal, the necessary scope of work, and the status of work to date.

The board generally determined that a standard audit would likely reveal any errors in the books, and would help to provide advice as to 'best practices' for the financial offices.

There was some discussion relative to firms that might help the town complete an audit.

The board agreed to take up the matter in two weeks, and asked for an update.

Review Payroll and A/P Warrants: W23-17, WP23-17

Payroll warrants W23-17 and WP23-17 were reviewed.

It was MOVED by Dowling, SECONDED by Johndrow

To approve warrant WP23-17.

VOTED: 2, 0, 1 (DEMPSEY ABSTAINED.) (7:37 PM)

It was MOVED by Dowling, SECONDED by Dempsey

To approve warrant W23-17.

VOTED: 3, 0, 0. (7:37 PM)

Public Comments

John Shaw

Mr. Shaw briefly discussed the proposals for zoning bylaw changes, the master plan in development, and the cascading impacts to both plans that might affect the town's operations.

There was some discussion relative to the form that the final report would take, the warrant article form, and what is intended to be brought before Town Meeting voters.

Mr. Shaw confirmed that he would not expect this to be brought before Town Meeting at the Annual Meeting in Spring, but rather be considered at a special town meeting in the fall.

The board invited Mr. Shaw to return to the Selectboard on March 13, 2023 to provide an update.

OLD BUSINESS

Harris Right of First Refusal

Mr. Finn noted recent correspondence with Kristin DeBoer, and provided a copy of the correspondence to the board. The board took the matter under advisement.

Administrative Items

Salaries / COLA

Mr. Finn noted several salary budget requests for higher salary adjustments than the town's 2.5% annual COLA, and provided information for the Selectboard's consideration. There was some discussion relative to the process by which budgets are developed and decisions in regard to salaries and expenses are made by the town, the Selectboard, and the Finance Committee.

Chalam M. Hosig – "Babysitting Night Fundraiser"

A letter from Chalam Hosig, Special Education Teacher and Coordinator at Hampshire Regional School, was reviewed. Mr. Finn requested direction in regard to the request.

Mr. Johndrow will get more information and report back.

Annual Town Report

Mr. Finn noted that a first draft of the 2021 Annual Town Report would be ready within a week for review.

Review General Correspondence

A letter from Ms. Eileen Leahy was provided for review.

Review / Approve Minutes – January 17, 30, 2023

After review, it was MOVED by Dowling, SECONDED by Johndrow

To approve the minutes of January 17, 2023 as presented.

VOTED: 3, 0, 0. (8:43 PM)

After review, it was MOVED by Dowling, SECONDED by Dempsey

To approve the minutes of January 30, 2023 as presented.

VOTED: 3, 0, 0. (8:45 PM)

Next Meeting

The board agreed to meet on Monday, February 27, 2023, at 7 PM.

Unanticipated Business

Ms. Judy Madzunovic spoke extensively about concerns related to the ongoing litigation initiated by the Pine Island Lake Association, naming the town and Ms. Madzunovic as defendants. The board reiterated its inability to discuss ongoing litigation.

Ms. Madzunovic also asked whether the board would consider adopting a resolution denouncing violence against women. After extensive elaboration on the topic, the Board encouraged Ms. Madzunovic to prepare a written statement for the board's review, as a first step in the process of developing a resolution.

EXECUTIVE SESSION

It was MOVED by Dowling, SECONDED by Johndrow

To enter into executive session, pursuant to the provisions of G.L. c.30A, §21(a)(3), to discuss strategy with respect to litigation, as an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares. Specific legal action cited: Federal Multidistrict Litigation vs. CVS, Walgreens, Walmart, Teva, and Allergan. The board will exit Executive Session only to adjourn.

VOTED: Dowling: Yes; Dempsey: Yes; Johndrow: Yes.

The board entered into Executive Session at 9:06 PM.

The board took up a "subdivision agreement", prepared by K&P Law, relative to the suit as noted; Mr. Finn noted that Counsel had recommended that the matter be handled in executive session.

After review of the documents, and discussion, it was MOVED by Dowling, SECONDED by Dempsey

To participate in the settlement agreement, and to authorize Mr. Dowling to sign on behalf of the board.

VOTED: DOWLING: YES; DEMPSEY: YES; JOHNDROW: YES. (9:20 PM)

The board exited Executive Session at 9:27 PM.

Adjourn

It was MOVED by Dowling, SECONDED by Johndrow
To Adjourn.

VOTED: 3, 0, 0. (9:28 PM)

Respectfully submitted,
Douglas C. Finn

Approved by a vote of the Selectboard at a regular meeting, held on February 27, 2023.

Phil Dowling



Maureen Dempsey



Scott Johndrow

