



SELECTBOARD
TOWN OF WESTHAMPTON
TOWN HALL
1 SOUTH ROAD
WESTHAMPTON, MASSACHUSETTS 01027

October 17, 2016

The meeting convened at 7:00 p.m.

Present were Phil Dowling, Jim Huston, and Art Pichette. Also present were Cheryl Provost, David Blakesley, Dave White, and Steve Holt.

Warrants were signed for: Payroll: \$71,202.08
 Vendor: \$507,948.31
 State Elections

- Highway Superintendent, David Blakesley reported:
 - the Northwest Road Culvert Relining is complete and the invoice to Zanelli Excavating was submitted for payment. The access road is worn from the heavy equipment and the highway department will restore it within the next two weeks.
 - attended a Small Bridges Program informational meeting Tuesday, October 4. The program is new and provides funding to municipalities for bridges that span 10-20 feet, including spans over culverts. There are two in town that are eligible and David is applying for the funding, specifically mentioning a culvert on Laurel Hill. Available funds are \$50 million over a span of five years; municipalities are allowed \$500 thousand per year.
 - MassDOT approved the replacement of the bridge on Kings Highway, also known as the "skinny bridge"; as noted in July 25 minutes.
 - worked on preparations for Fall Festival a couple days.
 - reviewed the new Reservoir Road speed counts. Three strips were placed in new locations. The average speed in the 85 percentile, both North and Southbound, was 37-40 miles per hour. This is a decrease from the previous count of 42-49 miles per hour. Using a Ball Bank Indicator the highest speed that can be posted is 35 miles per hour. A new request for approval to post a speed sign needs to be submitted with the data; voted 3-0 to submit a request for a speed zone of 35 miles per hour on Reservoir Road.
- Tree Warden, Steve Holt reported:
 - attended a Tree Warden Meeting, topic of discussion was spraying right-of-ways and tree health. Steve briefed on section 333 Code of Massachusetts Regulations 11 which covers pesticide control and applications. He also reported that 3-4 species of insects and fungus are depleting the tree health in town and state-wide. He spoke of controlling invasive species through proactive tree removal management. The Tree Warden budget requires additional funding to execute a removal plan.
 - David Blakesley will review the code. He reported he spoke to the lead arborist at Eversource and asked if the town can utilize their plan, he is waiting for a reply.

- Chief of Police, Dave White was present for the following discussions:

-46 Lyman Road

A notice of violation of Town Bylaw 7-12-1 (unregistered vehicles) dated September 12 was sent to Dana Lacombe. He was ordered to remove or register all unregistered vehicles from the premises. The Selectboard received no reply and there is no change of status of the vehicles; voted to enforce the bylaw and apply fines as of October 13.

Neighbors present were the Gerrard and Jeanette Marchand, Connie and Robert Dragon. Mr. Dragon submitted copies of Craigslist postings soliciting the sale and/or trade of vehicles, Mr. Lacombe does not have a Class License. Discussion ensued regarding the procedure for issuing a license.

-225 Northwest Road

Dave assisted Terry Donovan, Animal Control Officer, on an inspection of the dogs on the premises on October 12 in response to a complaint of dogs running loose. One dog appeared in good health, another dog ran into the woods before condition could be determined. The third dog was never seen and a fourth had recently passed. The dogs are unlicensed and without proof of rabies vaccination. If Terry receives report the dogs are loose she will pick them up. Both Terry and Dave reported that the conditions of the property appeared unsanitary; Dave reported their findings to the Board of Health. David Blakesley, Board of Health, and Valerie Bird, Health Agent, went to the location October 17 but did not gain access to the inside. Based on the police report and the findings on October 17, Valerie will file for a court order to inspect the home.

- Halloween Schedule:

The Halloween schedule conflicts with the early voting hours at the Town Clerks Office, a new law required by the state. Chief White was opposed to allowing traffic to the Town Hall for business during the Halloween activities from 6:00-8:00 p.m. The Clerk's hours are also from 6:00-8:00 p.m. Town Clerk, Patty Cotton, reported the state requires all early voting locations be registered, which was done. There was discussion of changing the location for the early voting and placing signs at the traffic detours directing any early voters to the alternate location. Patty was unsure the location can be changed at this point. A motion was made to seek permission from the state to allow an alternate location, being the Westhampton Elementary School, for early voting on Monday, October 31 from 6:00 p.m. to 8:00 p.m.; motion passed 3-0. The early voting location must be accessible to all. The parking lot will be open but some voters may find it difficult to walk up the hill to the Town Hall. Phil agreed with Chief White to not allow traffic through and proposed to designate a volunteer driver to shuttle any voters from the parking lot, if needed. Stacy Jenkins suggested using golf carts. A volunteer will be sought in the event a "shuttle" is needed.

- Dunn's Auto Class II License:

Robert and John Dunn submitted an application to renew their Class II License for Dunn's Auto; and business license; voted 3-0 to approve both applications.

- **Zoning Bylaw Review Committee:**
Only one Planning Board member agreed to join the committee. The other remaining recommendations accepted; voted to appoint Art Pichette, Bob Turner, Wayne Parks, Ginny Curtis, and John Shaw to the Zoning Bylaw Review Committee. John Shaw suggested budgeting for copies of revised bylaws for FY18. The first meeting is scheduled for Tuesday, October 25 at 7:00 p.m. at the Town Hall.

- **KOA discussion:** present was Ginny Curtis.
Cheryl reviewed the campground file to try to identify the document that Ms. Curtis reported to conflict with the Building Inspectors finding of no violations. The findings were inconclusive as clarification was needed as to dates when applying the Zoning Bylaws, since they had been revised. Ms. Curtis agreed to meet with Cheryl on Thursday, October 27 to review the file together in an attempt to expedite the process.

- **Planning Board Permit Application 205 update:**
The Planning Board received a set of conditions from W.H. Bennett, Inc. and Solar Invictus for the construction, operation, and maintenance of the proposed 650 kW Ground Mounted Solar Array at Interval Farm, 106 South Road; a copy was forwarded to the Selectboard for informational purpose. The Planning Board is waiting for counsel's opinion from the previous meeting.

- **Correspondence, reviewed:**
 - Kristen Smidy, Principle of Hampshire Regional High School, submitted a letter commending Police Chief, Dave White and Officer Matthew Malo for their support during a recent crisis and for the overall support of the Westhampton Police Department. The Selectboard agreed to send a letter to Chief White and the Police Department to notify them of the letter and acknowledge their efforts.
 - Craig Jurgensen, Hampshire Regional School District Superintendent, submitted information regarding the Massachusetts Rural School Coalition. He is putting data together to be shared with the districts towns. Although meetings are typically attended by superintendents, some select board and school committee members also attend. He will provide dates of the groups meetings to anyone interested in attending.
 - the Fire Department reported there are permitted fireworks scheduled for Saturday, October 29 from 7:00 p.m.-8:00 p.m., with intermittent shots until 10:00 p.m. at the time of expiration.
 - the library inquired what days Christmas and New Year's will be observed by the town as a holiday since they fall on a Sunday. Traditionally, holidays that fall on a Saturday are observed on Friday and holidays that fall on Sunday are observed on Monday; voted to observe December 26, 2016 and January 2, 2017 as holidays.
 - Comcast FCC Forms 1240, Annual Update Form and 1205, Determining Costs of Regulated Cable.

- Administrative Assistant, Cheryl Provost, reported:
 -submitted the work report for Oct. 4 through Oct. 17 and the schedule for Oct. 18 through Oct. 31.
 -the Highway Department laid out the location for the conduit to be buried that will hold the cables to connect the Annex to the Town Hall. The end-to-end locations have been identified and the project is ready to move forward. Joel has recommended using CAT6 and Cheryl agrees with the recommendation, voted to authorize the purchase of CAT6 to be run through the conduit connecting the Annex to the Town Hall.
- The Selectboard voted by roll call, 3-0 to enter into Executive Session at 8:25p.m., as the Chair declared that discussion in a public meeting may have detrimental effect on the towns' litigating position. The public meeting will reconvene at the end of the Executive Session.
- Closed the Executive Session and resumed Public Session at 8:43p.m.
- Signed the Class II License for Dunn's Auto
- Signed the Business License for Dunn's Auto

Adjourned meeting at 8:24p.m.

Approve: _____
 Philip Dowling, Chair

 James Huston

 Arthur Pichette