



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

November 28, 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, and Steve Holt.

Warrants were signed for:      Payroll: \$72,055.22  
   Vendor: \$212,403.50

The minutes from November 14, 2016 were accepted.

- Review of FY17 budget and tax rate:  
Finance Committee members present were Tom Cleary, Ellice Gonzales, Chevey Seney, Mary Cleary, Joe Pipczynski, and Steve Holt. The Board of Assessors were present; Dolores Thornhill, Sarah Challet, and Walter Morrey. Dolores submitted and reviewed a report showing the effect of the projected FY17 tax rate, estimated to be \$19.39 with current figures; an increase of \$0.49. Dolores and Cheryl had discussed increasing estimated local receipts as an effective way to reduce the tax rate. Dolores estimated that increasing it by \$30,000.00 would reduce the tax rate to \$19.25. She reported that in past years she worked with the previous accountant in a similar way to reduce the rate. With a change in officers the procedures were reviewed. The Board of Assessors were anticipating a resolution at this meeting and had some concerns of the timing of getting tax bills out in time. The Finance Committee wanted time to review the history and will be meeting with Joe Boudreau, Accountant on December 6. They requested to be allowed to hold discussion then. The Selectboard spoke in favor of the increase and determined to allow the Finance Committee one week would not be detrimental to the process.
- Tax Classification Hearing:  
The Tax Classification hearing opened at 7:20 p.m. Assessors Dolores Thornhill, Walter Morrey, and Sarah Challet were present.

Dolores submitted a written report outlining the status of the values of the three classifications residential, industrial, and commercial; which includes chapter land.

Dolores reported that the assessors recommend not splitting the tax rate. Typically when that's done the residential rate is reduced and the commercial rate is increased. There's no benefit to that since residential is 94% of the tax base. Furthermore, commercial properties include stores, office buildings, farm buildings, camping facilities, and all vacant land classified as farm land, forest land, or recreational land. Historically the town supports agriculture and farming and an

increase could have a negative impact on them.

The Selectboard approved a single tax rate classification for Fiscal Year 2017 by a 3-0 vote.

The Tax Classification hearing closed at 7:30 p.m.

- All boards meeting:

Phil opened the all boards meeting at 7:05 p.m.

Present were Phil Dowling, Jim Huston, Art Pichette, Selectboard; Cheryl Provost, Administrative Assistant; David Blakesley, Highway Superintendent and Board of Health; Dave White, Chief of Police; Chris Norris, Fire Chief; Lynn Blair, Library Director; Maureen Dempsey, Library Trustee; Tom Martin, Board of Health; Joe Boudreau, Accountant; Dolores Thornhill, Walter Morrey, Sarah Challet, Board of Assessors; Bob Turner; Ginny Curtis, concerned citizen and Triad Council; Bill Tracy, Moderator and member of Historical Commission and Zoning Board of Appeals joined later.

Phil continued with discussion of Free Cash, certified at \$541,712.00. The Selectboard agreed that they should seek town meeting approval to transfer a portion of it into the stabilization account. They discussed it briefly with Finance Committee, earlier in the meeting. The Finance Committee will discuss it more at their December 6 meeting; their preliminary recommendations are to transfer a portion into stabilization and another portion to a stabilization capital account. They also spoke of having a general citizen informational meeting. Phil spoke of the Capital Improvement Planning Committee's report and capital expenditure plan. An established stabilization account could have a positive effect on borrowing for capital expenditures and long term plans need to be continued with each changing administration. Chris Norris suggested a town master plan as an aid to capital planning. The Selectboard, Finance Committee, and Capital Improvement Planning Committee will continue to have discussions for a best plan.

Cheryl reported on the Mass. Municipal Modernization Act:

An act updating several laws was passed in August with a majority of the laws effective as of November 5. She provided copies of a section by section summary of the Act to Modernize Municipal Finance and Government. Many revisions refer to taxation and assessment laws. There are also several other categories affecting various departments. She suggested each department or official review it for general information and to determine which sections they're affected by. Anyone that has questions may contact Cheryl.

The revised public records access law affects every town official, board and committee. The law becomes effective January 1, 2017 with specific requirements effective July 1, 2017. Cheryl supplied and reviewed a summary of the revisions and how it affects everyone. A link to the entire Public Records Law on the Massachusetts Secretary of Commonwealth website was also provided. One point that was made was the requirement of Records Access Officer(s). The Selectboard will be deciding who will be designated and they will all meet for a thorough review of the procedures. Cheryl led a brief Q & A followed by introductions and general comments.

Adjourned the all boards meeting at 8:40 p.m.

Continued with regular Selectboard business:

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

- Highway Superintendent, David Blakesley reported:
  - submitted a Chapter 90 reimbursement request in the amount of \$158,952.59 for paving North Road and Easthampton Road.
  - submitted a Chapter 90 reimbursement request in the amount of \$21,844.80 for crack sealing various roads.
  - submitted a Chapter 90 reimbursement request in the amount of \$32,557.81 for repairs on North Road and King's Highway.

The Selectboard approved the Chapter 90 reimbursement requests of \$158,952.59 for paving North Road and Easthampton Road, \$21,844.80 for crack sealing various roads, \$32,557.81 for repairs on North Road and King's Highway by a 3-0 vote.
- Golden Cane:

The next recipient of the Golden Cane is Margaret P. Kelly. Historically the individual is presented at Annual Town Meeting, if they regularly attend; at a Council on Aging function, if a member; or the Selectboard visits their home. Art volunteered to make the presentation to her at home.
- Town Clerk job description:

Reviewed then approved revisions by a vote of 3-0. The ad will be posted this week.
- Elementary School Committee status:

The School Committee has a vacancy due to a procedural failure to elect, where the individual elected did not appear before the Town Clerk to be sworn in. The individual wishes to serve on the committee and is now required to submit a written request to the Selectboard for appointment.
- IT update:

The Town Hall and Annex are being scheduled for connection. The Town Hall Comcast account will be terminated and both buildings will run off the Annex Comcast account. A tier upgrade to the Annex internet service is required to support the additional workstations. The next level (Deluxe 25) is twice as fast at a cost of \$99.95/monthly. The level above that (Deluxe 50) is three times as fast at a special rate of \$89.95/monthly with a two year contract. There are additional charges for phone and fax service. A Comcast technician will be sent out with a one-time service fee of \$89.95. The accounts currently cost near \$415.00/monthly for both. The new service, with an added fax line in the Annex, will run approximately \$300.00/monthly. The Annex currently does not have a fax line and it is recommended to bundle as many services together at this time while the accounts are being changed. The transition also requires IT support and equipment, including networking the two buildings, adding battery backup, adding wireless access points to supply Wi-Fi throughout the Town Hall and all related support and work. The materials are estimated at \$1,115.00. The Highway Department will provide labor where they can. Northeast IT labor will be from the monthly service plan. The project to connect the buildings was already approved. A vote is required to enter into a two year contract with Comcast, authorize a contract signer, and approve the final conversions.

Moved to approve entering into a two year contract for Deluxe 50 internet in the Annex with Comcast and authorize Philip Dowling to sign the contract. Also, to add a fax line to the Annex, move Town Hall phone and internet accounts to the Annex account, add wireless access points to supply Wi-Fi throughout the Town Hall, and all related labor and materials; motion approved by a 3-0 vote.

- Mass. Dept. of Environmental Protection:  
The Small Town Environmental Partnership Initiative was reviewed. It is a voluntary program offered to small towns to partner with MassDEP to review environmental compliance of municipal facilities and to develop strategy to correct any outstanding issue. It is in addition to MassDEP's routine inspections. The Selectboard declined to agree to participate.
- Correspondence reviewed:
  - The Finance committee submitted a memo requesting the beginning of a dialogue between the two boards to discuss methods for developing an agreed-upon approach to determining salary adjustments. Art, Phil, and Cheryl will attend the Finance committee meeting on December 6.
  - The Dog Control Bylaw revisions were reviewed and approved by the State Attorney General's Office, with two notes.
    1. Pertaining to Section 7-9-6, impound fees. Ensure that any impound fees charged constitute a valid fee. In response, Cheryl noted that all impound fees are the cost of the kennel holding the dog, not a fee to the town; therefore valid.
    2. Pertaining to Section 7-9-13, order to restrain, fees. Ensure proper fees are applied where allowed. In response, Cheryl noted that fees cannot be charged if the dog is deemed a nuisance or dangerous by the Selectboard; Chapter 140, Section 157, establishes remedies available to the Selectboard. However, fees may be charged by non-criminal disposition for non-compliance of an order (remedy) by the Selectboard; chapter 140, Section 157A.

This will be noted with the Dog Control Bylaw on file for future reference.

  - Comcast program changes.
  - Mass. Dept. of Conservation & Recreation submitted a Notice of Intent to Abutters, Massachusetts Forest Cutting Practices Act, to the Town Hall as an abutter. W.D. Cows, Inc. was scheduled to begin cutting on November 21 in the vicinity of West Burt Road. It is required that all abutters receive notice. Ms. Curtis expressed concern for the roadways at and in the vicinity of the access point to the cutting.- Administrative Assistant, Cheryl Provost, reported:
  - will email work report for Nov. 15 through Nov. 28 and the schedule for Nov. 29 through Dec. 5.
- Signed Chapter 90 reimbursement request in the amount of \$158,952.59 for paving North Road and Easthampton Road.
- Signed Chapter 90 reimbursement request in the amount of \$21,844.80 for crack sealing various roads.
- Signed Chapter 90 reimbursement request in the amount of \$32,557.81 for repairs on North Road and King's Highway.

Adjourned meeting at 9:35p.m.

Approve: \_\_\_\_\_  
Philip Dowling, Chair

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James Huston

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Arthur Pichette