



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

Selectboard minutes of September 5, 2017

The meeting convened at 7:00 p.m.

Present were Jim Huston, Phil Dowling and Art Pichette. Also present were David Blakesley, Ginny Curtis, Mary Powers, Wayne Parks, Steve Gagne and Dave Moran. Minutes were taken by Cheryl Provost.

Warrants were signed for:      Payroll: \$69,563.00  
   Vendor: \$20,119.05

Minutes of August 21 were approved.

- Highway Department updates, David Blakesley reported:
  - Bill Jablonski was recognized by Bay State Roads as a "Road Scholar" for attending classes at UMass. Board will send him a letter.
  - Eversource is scheduled to remove dead trees marked last year.
  - A Canadian Company purchased property located on top of Spruce Hill from Hull Forestry. They have a forestry plan and have intentions to improve the entrance. David is meeting with them next week and has no problem it.
  - there is progress on the skinny bridge. The consultant from Stantec and a surveyor has been out. Moving forward and hoping for a 2018 project. Palmer Paving was out August 28 & 29 and paved 1.7 miles on portions of Chesterfield and Reservoir Road.
  - Scheduled to do crack sealing tomorrow.
  - working on drainage on Perry Hill Road.
- Mass DOT Special Speed Regulation No. 7956 for:
  - Kings Highway/Reservoir Road-Northbound beginning at the junction of North Road, thence northerly on Kings Highway/Reservoir Road
    - 0.95miles at 30 mph
    - 0.83 miles at 35 mph
    - 0.50 miles at 30 mph ending at the junction of Northwest Road; the total distance being 2.28 miles.
  - Reservoir Road/Kings Highway-Southbound beginning at the junction of Northwest Road, thence southerly on Reservoir Road/Kings Highway
    - 0.50 miles at 30 mph
    - 0.83 miles at 35 mph
    - 0.95 miles at 30 mph ending at the junction of North Road; the total distance being 2.28 miles.
- Consideration for additional crew member:

Discussed a written recommendation from John Shaw to consider an additional crew member, he

was unavailable to come to the meeting. There was no explanation of the position or for the consideration. David will contact John and ask what his thoughts are and report back at a later meeting.

- **Public records request:**  
Steve Gagne and Ginny Curtis had inquiries regarding public records requests on the matter of the Cotton Tree Service sawmill permit as well as other matters. Multiple requests for correspondence between town counsel and town officials and minutes of executive sessions of the Planning Board and Selectboard have been declined on their respective exemptions. Mr. Gagne and Ms. Curtis were both seeking further explanation from the board. Mr. Gagne asked the board to reconsider the status of the records and release them. The Selectboard declined to release them on the grounds of an appeal of the Cotton Tree permit. Mr. Gagne questioned the release of an opinion from Counsel regarding the 109 Northwest Road building permit. The opinion was provided at a meeting of the Zoning Board of Appeals and later emailed to Cheryl as RAO to provide to requestors, the Selectboard was not involved. Discussion ensued regarding the custodianship of and authority to release records. The Selectboard confirmed that documents and emails between town counsel and town officials are exempt. After a matter is resolved the board reviews the records and makes a determination if the records should be released in part or whole. During ongoing litigation records will not be released, as in the case of the Cotton Tree sawmill permit. Mr. Gagne was unaware of the appeal of the permit filed with the courts; a copy will be emailed to him.
- The Public Safety Complex Review Committee will meet on the 6<sup>th</sup> and 11<sup>th</sup> at the complex.
- The Zoning Bylaw Review is taking longer than expected. Larry Smith, Pioneer Valley Planning Commission, will provide draft solar and marijuana bylaws. Continue to work on definitions.
- The interview for Animal Control Officer will be rescheduled for the next meeting due to a time conflict.
- **Emergency Management Performance Grant:**  
The Signatory Authorization Form for the grant was submitted by Chris Norris due to the timely manner needed to sign for the grant and return it, if awarded. On a motion, voted to authorize Chris Norris as a signatory for the Emergency Management Performance Grant.
- **109 Northwest Road update:**  
Wayne Parks regarding the opinion provided to the ZBA which was used to determine that the building permit was erroneously issued. That resulted in the withdrawal of the permit by the Zoning Enforcement Officer. The ZBA has not met again so the applicant has not had the opportunity to meet with them to seek next steps. A meeting had been scheduled then later cancelled due to the uncertainty of the preparedness of the owner. It was unclear how the matter was being handled and the Selectboard requested to have the ZBA come into their next meeting to review procedures and the permit of 109 Northwest Road.
- **Campground updates:**  
Art reported he spent more time at the site and with the Assessors. He is close to completing the map of the campground.



Ginny Curtis referred to an email she submitted reporting of a new horn at the campground. Also reported was the presence of septic order. David Blakesley reported the Board of Health was notified of a sewage breakout today. Tom Martin and Ron Lauren conducted a site visit and met with the manager. No raw sewage or smell was discovered but newly dumped gravel was visible. A Title V inspection was scheduled for post season. Art confirmed that the previous day there was visible break out and odor. The busy weekend was suspect. Ginny recalled a report of odor from Karl Norris this spring. David reported that the tight tanks are pumped weekly.

- 0 Main Road junkyard:  
No updates available. The Board of Health and Fire Department will be notified to follow up on the August 20 order of compliance within their respective jurisdiction.
- Unregistered vehicle violations:  
John Zimmerman was not present to provide updates.
- Administrative Assistant updates:  
-had time off from August 24 through August 30; schedule for September 6 through September 18 to be submitted by email.
- Following correspondence was reviewed:
  - Westhampton Public Library has a collection of local history materials town a collection of reports they're having digitized.
  - Pioneer Valley Planning Commission is holding a meeting to discuss the Massachusetts Rural Policy Commission on October 12<sup>th</sup> at their office in Springfield. RSVP required.
  - Mass. Municipal Selectmen's Association is holding their regional meeting on September 19 in Northampton. RSVP required.
- The Selectboard voted by roll call, 3-0 to enter into Executive Session at 8:00p.m., as the Chair declared that discussion in a public meeting may have detrimental effect on the town's litigating position with respect to:  
Athanasiou v. Town of Westhampton, Appeals Court, 2015-P-0894-discussion of litigation strategy to pending appeal at Massachusetts Appeals Court.

Open session will continue following executive session.

Adjourned Executive Session and returned to Open Session at 8:08 p.m.

- The next Selectboard meetings will be 7:00 p.m. Monday, September 18 and October 2.
- Documents submitted:
  - Mass DOT Special Speed Regulation No. 7956
  - Chapter 90 Payment Request
  - Zoning Board of Appeals decision on August 9 regarding 109 Northwest Road

- Documents signed:  
-Mass DOT Special Speed Regulation No. 7956 for Kings Highway/Reservoir Road

Adjourned meeting at 8:10 p.m.

Approve: \_\_\_\_\_

  
James Huston, Chair

  
Philip Dowling

  
Arthur Pichette