



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

October 19, 2015

The meeting convened at 7:00PM.

Present were Art Pichette, Jim Huston and Phil Dowling; also present was David Blakesley, and Cheryl Provost.

Warrants were signed for: Payroll: \$65,539.23
 Vendor: \$54,241.80

Accepted minutes from September 21, October 5, and October 9.

- Art motioned to amend the October 9 minutes by removing “explain as best as possible” and replacing it with “explain it to Town meeting and they will make the decision”. Motion approved. **Voted to accept the October 9 minutes, as amended.**
- David Blakesley, Highway Superintendent reported:
 - he holds more than one appointed position, generally a conflict of interest if at least one position is paid. He submitted a letter of request for exemption of that restriction; allowed under the Mass. General Laws Chapter 268A, in towns with a population less than 3500. **Voted 3-0 to approve the exemption under section 20 for David Blakesley to hold the appointed positions of Highway Superintendent, Trench Permitting Authority, Board of Health, HRMC Representative, and OPEB Trustee.**
 - North Road; completed the work for this year and did as much landscaping as possible. There’s a need to move onto other projects.
 - Southampton Road drainage; Dig Safe is coming out next week to mark the road where the reconstruction for drainage will be. (Sheryl Long was present to confirm operations were moving forward).
 - Tob Road has a failed culvert that is scheduled for repair.
 - Snow removal equipment is getting prepared.
 - Awarded a \$2,500.00 grant through the Department of Environmental Protection for a Sustainable Material Recovery Program, under the Recycling Dividends Program and Small Scale Initiatives grant. The program provides payments to municipalities that have implemented specific programs and policies to maximize reuse, recycling and waste reduction. David recommended to either put the funds away for future purchase of a recycle container; or to purchase a roll-off box rather than leasing one. **Voted 3-0 to accept the Department of Environmental Protection; Sustainable Material Recovery Program, under the Recycling Dividends Program and Small Scale Initiatives grant of \$2,500.00.**
 - Third party inspections were discussed at a previous meeting. David reported that he misunderstood the requirement and believed it was for the transfer station; which we comply with. The new requirement refers to land fill monitoring; David recommends seeking a quote

from Stantec since they do the other inspections and are familiar with the town. Cheryl will seek quotes.

-scheduling several roads for line painting.

-A catch basin on Northwest Road collapsed and was repaired.

-Elementary School crosswalk painting; David recalled previous discussions in the spring regarding painting a crosswalk at the Elementary School. With school open again Mr. Jenkins had approached David inquiring of the crosswalk. David requested clarification of the decision. Agreed that it was not voted to paint a crosswalk because of the lack of presence of a sidewalk, but instead to paint notices of a school zone in the road. A letter will be sent to the Jenkins.

-Signage on Route 66, Audubon Society; David reported that a sign is allowed as long as it complies with town zoning bylaws. A letter will be sent to the Audubon Society notifying them to contact Chuck Miller, Building Inspector, about what they propose for a sign. Chuck will receive a copy.

-Huntley damage claim; Mr. Huntley appeared for the discussion on October 5 but David was out sick. Mr. Huntley was told that it would be placed on this agenda and he could return to discuss it in David's presence. Mr. Huntley did not appear. David stated that he read the claim and disagrees. Road construction signs were posted to alert drivers. David also noted that Mr. Huntley does not have mud flaps on the vehicle, which would minimize the debris from tires splashing onto the truck. Finally, David disagrees that the materials used were a known defect. The process is widely used and acceptable. David also disputed the time frame in which Mr. Huntley stated that he had the car estimated for repairs. Art inquired of the difference in signage, stating "road construction" is used here but elsewhere you may see "travel at own risk". He suggested that the use of "pass at your own risk" may be more effective to notify drivers. David replied that he also posts "oil & stone" signs where applicable. Furthermore, that the signs he uses meet requirements. Art requested that David look into the distinction between "pass at own risk" and "construction ahead".

-the Freightliner truck was brought to the highway garage. David sent it back for some changes.

- Todd Ford and Lee Frankl, Hampshire Council of Governments:
Mr. Ford and Mr. Frankl visited to discuss the programs offered by the council and to report the benefits to Westhampton for their participation in specific programs. Mr. Frankl provided copies of a power point as an overview of the discussion. Briefly discussed Hampshire Power, a program we participate in, and municipal aggregation. A point of interest was the Hampshire Solar Program. Mr. Ford gave a brief overview and spoke of net metering. Agreed to schedule a future meeting to further discuss participation in the solar program and how it works.
- Tanker truck; Phil reported that he spoke to Chris Norris, Fire Chief. The Invitation For Bids specs were written with a sales representative. Jim expressed concerns of the specs. Phil spoke of the problems that occurred with the approval of this grant. First, that the approved article was not proper for this grant. Then the towns share increased twice. Now the entire cost of the tanker requires approval as the state doesn't allow borrowing for this type of grant. A new article with the increased funding is required, with a motion to pay down the amount with grant funding. Chris has been proceeding as he had with past similar matching grants. He did not understand the process now that borrowing is involved. Art stated that the Board needs to make a recommendation based on the new information regarding the town share and borrowing. Also, that Chris should meet with the Board. Phil reported that Chris met with them two weeks ago. Phil believes that a new tanker truck is needed and this is an opportunity to obtain one at a low

cost to the town. Therefore, he recommended that the IFB process play out and review the bids and then decide how to proceed. Discussed the Town meeting schedule and the article submitted by the Financial Advisor can be submitted to the Finance Committee on October 20. The Town meeting date will be determined after the bids are opened. Cheryl stated that the \$30,000.00 appropriation for the tanker truck at Annual Town Meeting needs to be rescinded to balance the budget. This will allow the tax rate to be set before the bills go out. A meeting should be held in November to address that. **Voted 3-0 to meet on Monday, October 26 at 7:00 p.m. to review the tanker truck bids and determine a schedule for a Special Town Meeting. Voted 3-0 to approve the tanker truck article and motion, as written below from the Financial Advisor, and submit it to the Finance Committee on October 20 for their recommendation.**

Article: “To see if the Town will appropriate a sum of money to purchase a new Tanker Truck vehicle for the Fire Department; to determine whether such amount should be raised by taxation, borrowing, transfer from available funds, or otherwise; and to authorize the Selectboard to apply for and accept any grants that may be available to pay all or a portion of the costs of such vehicle; or pass any vote or take any action relative thereto.”

Motion: “That the sum of \$_____ is appropriated to purchase a new tanker truck vehicle for the Fire Department; that to meet this appropriation, the Treasurer, with the approval of the Selectboard, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(9) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that the Selectboard is authorized to apply for and accept any grants available to pay all or a portion of the cost of such vehicle and that the amount authorized to be borrowed by this vote shall be reduced to the extent of any such grants that are received by the Town.”

- Northeast IT-Joel submitted a letter with recommendations to meet the needs of data back-up. He recommended cloud based back up. Also, he suggested the appointment of an official as a technology liaison to manage IT decision making. Cheryl reported that funds are not available in the IT budget to add services. Phil agrees that back up is necessary and requested the completion of a comprehensive list of who does back-ups and how. Furthermore, he suggested that the risk out-ways the cost. Cheryl reported that historically each department is responsible for their own IT management and cost. She suggested that funds could be pooled from various departments to pay for a cloud-based backup service, but encouraged that officials and department heads be included in the process. Cheryl reported that generally she has been acting as IT liaison and encouraged adopting an IT policy.
- Hearing protocol-Cheryl provided an outline for hearing procedures. A copy will be kept on file for future reference.
- Cheryl reported that the town bylaws require that a member of the Selectboard be appointed to the Capital Improvement Planning Committee, and provided copies of the bylaw. Cheryl reported that she is arranging the first committee meeting to get it active. **Voted 3-0 to appoint Phil Dowling to the Capital Improvement Planning Committee.**
- Veteran Service Officer-the Valor Act II of Massachusetts General Laws Chapter 115, §3B requires mandatory training and certification of veteran’s benefits and service officers employed by the municipalities of the Commonwealth. Joseph Henning, Veterans Agent, submitted a request to approve the application for certification examination. The training is scheduled for October

26-29 in Leominster. He also reported that he will be submitting for reimbursement for a portion of the overnight hotel expenses. **Voted to approve the Application for Certification Examination for Joseph Henning.**

- Outlook Farm winery & brewery:
Cheryl reported that Counsel responded that the license provided from the ABCC to Outlook Farm Winery and Brewery allows them to sell their product for off premise consumption with no further permitting required by the Town. It also allows them to offer their wine samples with specific regulations. The license does not allow for sale of their product for on premise consumption. That requires a Farmer Series Pouring Permit, issued locally. Procedures to seek authorization of the permit were detailed in the response from counsel. **Voted to follow the procedures from Town Counsel for permitting a Farmer Series Pouring Permit, at the request of Outlook Farm Winery, and to seek voter authorization at the next Annual Town Meeting.** Outlook Farm Winery and Brewery will be notified in writing.
- Accounts Receivables Audit: Cheryl reported that she drafted responses to the draft audit report. If approved, the responses will be sent to the auditor to be compiled into the final report. Reviewed and approved the draft responses.
- Reviewed the following correspondence:
 - Hampshire Council of Governments; Community Choice Aggregation
 - Board of Assessors; Computer Assisted Mass Appraisal system was upgraded and a new electronic address is in service. The Town website was edited with the new link and the Assessors provided instructions to access the site.
 - Town Account confirmed that transfers between appropriations require town meeting approval. This is in response to Chris Norris' request to move funds from the EMS account to the Fire Department Account
 - Comcast FCC Forms 1240 and 1205, CUID numbers.
 - MSBA; final grant letter. The final deposit was made and the project is closed.
- Administrative Assistant, Cheryl Provost reported:
 - submitted a work schedule for October 20- November 5
 - attending Massachusetts Certified Public Purchasing, Supplies and Services Contracts seminar Tuesday, October 20-Thursdays, October 22.
- The Selectboard voted by roll call, 2-0 to enter into Executive Session at 8:55PM 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 9:05PM.
- Signed 291D payment request of \$3,560.77 for the North Road project.
- Signed Chapter 90 project request of \$56,000.00 for various roads.
- Signed the contract for the Department of Environmental Protection; Sustainable Material Recovery Program, under the Recycling Dividends Program and Small Scale Initiatives grant of \$2,500.00.
- Signed a business license for repair work issued to Carl Prucnal

- Signed the Veteran Service Officer application for certification examination.

Adjourned meeting at 9:10 p.m.

- Re-opened the meeting at 9:11 p.m. to approve the bylaw article for changing the Annual Town Election and Annual Town Meeting date, as written below:

Article: “To see if the Town will vote to amend Article 1-1-1 of the Town’s Bylaws by deleting the current Section 1-1-1 in its entirety and replacing it as follows:”

“The annual town meeting shall be held on the second Saturday in May of each year and the election of town officers shall be held on a Saturday not less than 35 days after the annual town meeting, but before June 30”

- **Voted 3-0 to approve the article; to be placed on the warrant for the next scheduled Special Town Meeting.**

Adjourned meeting at 9:13 p.m.

Approve: _____

Arthur Pichette, Chairman

James Huston, Clerk

Philip Dowling