



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

Minutes of November 26, 2018

The meeting convened at 7:00 p.m.

Present from Selectboard were Phil Dowling, Art Pichette and Maureen Dempsey. Others present were Dolores Thornhill, Sarah Challet, Steve Holt, David Blakesley, Sally Loomis, Ginny Curtis, John Kelsey. Minutes were taken by Cheryl Provost.

Warrants were signed for: Payroll: \$80,007.67
 Vendor: \$252,469.70
 Special Town Meeting December 10

Minutes of November 13 were approved.

- The Special Town Meeting warrant was reviewed and discussion ensued regarding article 2, authorization to enter into a solar PILOT agreement. Clarification was made that the article authorizes the Selectboard to enter the agreement. The board will not vote on the agreement until all information has been reviewed and discussed in an open meeting of the Selectboard. The agreement does not have to be approved on December 10. Art motioned to approve the warrant for the Special Town Meeting of December 10. Second by Maureen. Motion passed unanimous.
- Highway Department updates, David Blakesley reported:
 - snow and ice policy as adopted by Selectboard February 25, 2013 was reviewed (attached). One difference from highway policy is that notices for building closures will be updated at noon.
 - Dept. of Environmental Protection awarded the town a Sustainable Materials Recovery Municipal Grant in an amount up to \$5,500.00 for a roll-off container for the collection and recycling of bulky rigid plastic items. Funds must be spent by December 31, 2019. A small fee may need to be applied to users for items collected to offset tipping fees. Phil motioned to accept the grant funds. Second by Art. Motion passed unanimous.
 - there are three spruce trees behind the town hall dropping small limbs and a lot of needles onto the roof of the building, there is potential for damage. The trees are on private property, David spoke to the landowner and has approval to remove the trees. Art motioned to authorize David to seek a contractor to remove the trees. Second by Maureen. Motion passed unanimous.
 - contacted Mass. Inter-local Insurance Association to request an audit of the highway garage and work zones to determine if there are any deficiencies related to the requirements under the federal Occupational Safety and Health Act (OSHA) of 1970. Effective February 1, 2019 public sector workplaces will be required to implement methods of reducing work-related injury and illness that meet the minimum OSHA requirements. The audit is voluntary and David requested the town's insurer conduct it since they would be covering any claims. David asked if the board would like to add the safety complex, request was approved.

Tax Classification Hearing:

The Tax Classification hearing opened at 7:15 p.m.

Dolores Thornhill and Sarah Challet were present from the Board of Assessors.

Dolores submitted a written report outlining the status of the values of the three classifications residential, industrial, and commercial; which includes chapter land (attached). Dolores noted that there was \$1,742.00 in excess capacity for FY18. The assessors recommend not splitting the tax rate. The anticipated single tax rate for FY19 is \$20.29/thousand (FY18 was 19.43).

Discussion opened to floor, no comments.

Art motioned to approve a single tax rate classification for Fiscal Year 2019. Second by Maureen. Motion passed by roll vote of 3-yay's, 0-nay's.

The Tax Classification hearing closed and the open session resumed at 7:20 p.m.

Present from Selectboard were Phil Dowling, Art Pichette and Maureen Dempsey. Others present were Steve Holt, David Blakesley, Sally Loomis, Ginny Curtis, John Kelsey. Minutes were taken by Cheryl Provost.

- Direct deposits and outsource payroll:
Scheduled to begin payroll services in January. All but one employee has signed on for direct deposit. No written direct deposit policy submitted for review but would like to mandate it for all new hires.
- Brewer Brook Conservation Project, Conservation Restriction:
Sally Loomis, Hilltown Land Trust, presented a Grant of Conservation Restriction to be jointly held by the Town, through the Conservation Commission and Hilltown Land Trust, consisting of an approximate 127.38 acres on Shaw Road; owned by Pandora Redwin and Patricia Lewis. The documents were reviewed.
Maureen motioned to approve a Grant of Conservation Restriction of an approximate 127.38 acres on Shaw Road. Second by Art. Motion passed by roll vote of 3-yay's, 0-nay's.

Sally Loomis submitted the fully executed Conservation Restriction for property owned by Patricia Lee Lewis, located at 292 Chesterfield Road; approved on October 1, 2018.
- Safety Complex review:
Steve Holt had nothing to report, the committee is meeting on December 3. Members have been sworn by the Town Clerk. Discussion ensued regarding associate members. Interested persons are to submit a written request of appointment to the Selectboard.
- Green Communities update:
The application was received and criteria's 1, 2, 4, and 5 were accepted. More information was

requested for criteria 3, Energy Reduction Plan (ERP). Discussion ensued regarding a revision and the recommendations from Pioneer Valley Planning Commission. Phil motioned that the Selectboard is responsible to oversee the decision to replace (or not) the 2009 Jeep; the Police Chief is assigned to make sure a new police cruiser is as fuel efficient as possible, and the Highway Superintendent is responsible for making sure that the Fleet Management Changes (detailed on pg. 18 of the ERP) are followed. Second by Maureen. Motion passed by roll vote 3-yay's, 0-nay's.

- **Zoning Bylaw Review Committee:**
Art Pichette reported the committee and Planning Board met on the same night and scheduled a public hearing for December 4, with town meeting to follow. A later discussion with C. Provost revealed the Town Meeting had been previously set by the Selectboard for December 10. The committee thought holding the hearing and town meeting on the same night would be helpful and members were disappointed that wouldn't happen. Art apologized that it wasn't scheduled for the same night. Art noted that the reason for seeking an extension to the moratorium is that a full bylaw is not prepared for presentation to the town.
Ginny Curtis reported the committee is working on definitions and are seeking feedback from citizens that may have had a determination effected by the current definitions. Other comments are also welcome.
- Disclosure of Interest by Special Municipal Employee were reviewed; one from Maureen Dempsey and one from Susan Bronstein. Phil motioned that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the Town of Westhampton may expect from Maureen Dempsey. Second by Art. Motion passed 2-yea's, 1-abstain (Maureen). Phil motioned that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the Town of Westhampton may expect from Susan Bronstein. Second by Maureen. Motion passed with 3-yay's, 0-nay's.
- An invoice from KPLaw in the amount of \$4,103.75 for services in October was reviewed. The Counsel Fees Account will be more than half spent with this payment. A transfer will be needed to increase the account. Finance Committee will be notified. Discussion ensued regarding a retainer for legal services. The option KPLaw provides will be inquired.
- Bill Tracy visited to discuss a special permit issued to him for a solar facility. He's in the process of applying for a building permit and the application will be between 6.5-10 thousand dollars. The special permit will expire soon if a building permit is not issued. B. Tracy reported having difficulty securing permits from Eversource needed for the project and has concerns about the timing of securing those permits in conjunction with paying for the building permit. The Building Commissioner told B Tracy that a refund is not given on a permit fee if the construction does not happen. B Tracy asked the board if he can make a down payment (\$500.00) on the permit application then pay the remainder after all other permits are secured. The Planning Board does not have the authority to extend the Special Permit. Discussion ensued regarding permit fees. Art will speak to Tom Quinlan, Building Commissioner regarding deadlines and whether he can extend the Special Permit. Building Permit fees and schedule were reviewed.
- The Selectboard voted by roll call, 3 yeas, 0 opposed, to enter into Executive Session at 8:18 p.m., in pursuant to M.G.L. c. 30A, section 21(a)(5), as the Chair declared to investigate charges

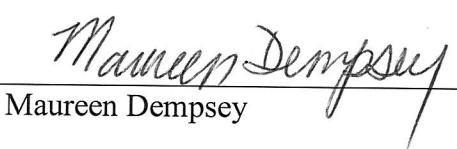
of criminal misconduct or to consider the filing of criminal complaints. Open session will resume following close of executive session.

- Returned to open session at 8:40 p.m. Present were Phil Dowling, Art Pichette, Maureen Dempsey, Cheryl Provost.
- Next meetings 7:00 p.m. December 10 and December 26. Special Town Meeting December 10.
- Correspondence was reviewed:
 - Finance Committee FY20 budget preparation
- Documents submitted:
 - Expense Report through November 15
 - Notice of Decision of Planning Board for a Special Permit-Ground Mounted Solar Energy System at 0 Montague Road
 - Fully executed Grant of Conservation Restriction; Patricia Lewis of 292 Chesterfield Road
- Documents signed:
 - MassDEP Sustainable Materials Recovery Municipal Grant Program; checklist for Drop-off Equipment Grant Award.
 - Disclosure of Interest by Special Municipal Employee (MGL c. 258A, § 20(d) from Maureen Dempsey
 - Disclosure of Interest by Special Municipal Employee (MGL c. 258A, § 20(d) from Susan Bronstein
 - Grant of Conservation Restriction of approximate 127.38 acres on Shaw Road; owned by Pandora Redwin and Patricia Lewis
- Meeting adjourned at 8:40 p.m.

Approve: _____


Philip Dowling, Chair


Arthur Pichette


Maureen Dempsey

DEFINITION OF TERMS

1. Residential properties may be of three types:

- a. Owner-occupied and primary residence of the taxpayer.
- b. Non owner-occupied, including rental single family, rental portions of multi-family dwellings and second homes.
- c. Vacant, residentially zoned land.

Total FY 2019 Residential Value is \$218,215,520 (94.46%)

2. Commercial properties includes stores, office buildings, farm buildings, camping facilities and all vacant land classified as farm land (Chapter 61A), forest land (Chapter 61) or recreational land (Chapter 61B).

Total FY 2019 Commercial Value is \$6,509,679 (2.82%)

3. Industrial land buildings, includes those in which manufacturing takes place, sand and gravel operations, telephone relay towers.

Total FY 2019 Industrial Value is \$1,228,974 (.53%)

4. Personal Property includes all the property owned by unincorporated property owners. Incorporated property owners pay only on property used in the conduct of business. Some major accounts are Western Mass Electric Company, Verizon and New Cingular Wireless. They pay on the value of poles, wires and conduits.

Total FY 2019 Personal Property Value is \$5,058,030 (2.19%)

Total FY 2019 Real & Personal Property Taxable Value is \$231,012,203
Total FY 2019 Exempt Value is \$28,328,400