



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

Minutes of July 22, 2019

The meeting was convened by Maureen Dempsey at 7:00 p.m.

Members present: Maureen Dempsey and Teri Anderson

Others present: Steve Holt, John Shaw, Art Pichette, Ginny Curtis, Michael Kelsey and John Kelsey of Windy Acres/KOA Campground

Motion was made by Teri Anderson, seconded by Maureen Dempsey and voted unanimously to approve the July 15, 2019 minutes with two amendments:

1. Page 1 first bullet – The Selectboard voted by roll call, 3 yeas, 0 opposed - change to 2 yeas and 1 abstention.
2. Page 2 third bullet – last sentence – Teri moved to contract D.A. Sullivan & Sons, Inc. at a later date – change to read: to award the contract to D.A. Sullivan & Sons, Inc. with a start date to be determined.

Motion was made by Teri Anderson, seconded by Maureen Dempsey and voted unanimously to approve and sign the warrants.

New Business:

Zoning Bylaw Review Committee Updates – Art Pichette explained that in the past the Selectboard has requested technical assistance from Pioneer Valley Planning Commission to assist the Committee. The Committee requests the board to request additional technical assistance for common driveways, wind turbines, Airbnb/short term rentals, and cell towers. The Committee will request PVPC to draft boilerplate language with guidance from the Committee.

Motion was made by Teri Anderson, seconded by Maureen Dempsey and voted unanimously to request technical assistance from Pioneer Valley Planning Commission to work with the Zoning Bylaw Review Committee to draft zoning bylaw language for common driveways, wind turbines, Airbnb/short term rentals, and cell towers.

Highway Department Updates – None, DPW Director was not present due to illness

Police Dept. surplus cruiser disposal – consider inter-municipal agreement – item was tabled to next meeting because Police Chief could not be present. Teri Anderson explained the process of declaring the vehicle surplus property, the option to transfer the vehicle to another municipality under an inter-municipal agreement. If no agreement is reached, the town can decide to put the vehicle out to public bid or auction. Need a description of the vehicle from Police Department to make a motion.

Consider approval of interim Library Director – discussion tabled until next meeting. Maureen explained the Library Trustees are waiting for the candidate to return from vacation to discuss a contract. The

Board of Trustees is authorized to hire directly but is asking for Selectboard approval as well.

Consider approval of notice to campground – Item tabled as a draft letter was not presented by Town Administrator for consideration. Maureen asked if Mr. Kelsey had any information to share. John Kelsey stated the horn has not been dismantled and explained he has operated the facility for 17 years with harassment from one neighbor. He removed the siren a few years ago according to law but the air horn is a different story. He stated in the past year, Ginny Curtis has:

- Written a letter to his bank stating the septic system had failed and the town would not renew his permit.
- Filed unfounded complaints with the Board of Health and DEP regarding septic breakouts. The Board of Health views weekly.
- Filed a complaint that tight tanks were not being pumped. Not true. They are pumped once or twice a week and it usually smells during pumping. They used to email receipts to the former BOH agent Valerie but BOH decided they should send to DEP instead. DEP has asked for them to be submitted monthly. Mr. Kelsey will now email documentation at the time the tanks are pumped so they have an immediate record. Yes, they still use the septic system as well. The engineer is designing the new septic plan and they are on track to submit to DEP soon. They are getting price quotes. Mark, the new health agent, inspected the property this week. The Kelsey's always allow town officials onto the property immediately upon request.
- Ginny Curtis stopped a camper on his bicycle and told him not to camp there because the wells were not safe and the septic system is failed. Customer started filling bottles at the church until owner could explain the water is tested monthly and is safe.

Maureen suggested we refer this to the Board of Health as the septic system is their jurisdiction.

Mr. Kelsey informed us that the Selectboard will be receiving a letter from his attorney regarding the horn. Teri Anderson asked if they would consider replacing the horn with bells that are quieter and the sound would not leave the property but would alert people the truck is about to move. Owners have considered this but want that to be the end of it, but it won't be.

As for the music, they have a live concert once a year around the same time just after July 4 that runs from 6pm to 10:15pm. They will be requesting a copy of the town bylaw that states quiet time of 10pm because they can't find it. They want to follow the law. Teri Anderson suggested it is not just a matter of law but of being a good neighbor and that the Selectboard has received complaints from more than one person. Mr. Kelsey said they would look to work together to resolve but it goes both ways.

They have a few DJ events but those take place inside an enclosed building and they keep the base down. Occasionally they have the DJ events by the pool but those end by 9pm. They have to be a good neighbor to their own campers as well. They have always felt the Selectboard is trying to problem solve with good intentions but the complaints just continue to escalate.

Ginny Curtis went on record that she has not personally complained about noise issues from the campground in the last 2 years. She is voicing the complaints of abutters. It was the Fondakowski's that reported the horn sounding 3 times this past Sunday morning. The neighbors keep a log and only one person calls the police so as not to over burden the police department with calls. As for the party last weekend, she heard it and did not complain, but 3 other people did complain. Other abutters fed up with not getting compliance.

Public Safety Complex Review Committee Update – Steve Holt reported the committee is almost complete on the request for qualifications for designers and will be published soon.

Fire Chief Search Subcommittee Update – Steve Holt reported the committee is conducting interviews on Wednesday of this week and will report back.

Old Business – None

Correspondence – None

Administrative Assistant Updates – Maureen reported that Cheryl told her she is working with other town administrators on hiring someone to upload old documents to the document management system. Administrators will be interviewing applicants this Wednesday and will come to the Selectboard with a recommendation.

Other issues not reasonably anticipated – Teri Anderson said she submitted draft language for standard conditions for utility poles and conduits based on what Northampton adopted a few years ago with updated language to not only allow for police/fire telephone communication but also for fiber installation for internet communication. Asked for the draft language to be put on a future Selectboard agenda for discussion.

Ginny Curtis mentioned that TRIAD had asked utilities to install small reflectors on poles in town because they are helpful for elders driving on dark streets. Eversource had previously agreed to drop off some at town hall but never did. Ginny requests the Select Board to make the request again or perhaps they could bring them to the hearing on August 5. TRIAD volunteers would be happy to install them.

Motion by Teri Anderson, seconded by Maureen Dempsey, voted unanimously to adjourn at 8:00p.m.

Respectfully Submitted by Teri Anderson

Approve:

Philip Dowling, Chair

Maureen Dempsey

Teri Anderson