



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

Minutes of September 16, 2019

The meeting convened at 7:03 p.m.

Present from Selectboard were Phil Dowling, Maureen Dempsey, and Teri Anderson. Others present were Bill Jablonski, Dave Antosz, Dave Antosz, Annmarie O'Reilly, Ginny Curtis, Shirl Morrigan, Shawn Weaver (Northeast IT), Peter Spotts (Country Journal). Minutes were taken by Cheryl Provost.

Warrants were reviewed and approved by unanimous vote and signed for:

Payroll: \$78,882.45

Vendor: \$149,387.41

Chapter 90 payment request in the amount of \$43,663.00 for asphalt for various roads was reviewed. Phil motioned to approve the payment, second by Maureen. So voted.

Minutes of September 3, 2019 were reviewed and approved by unanimous vote.

- Northeast IT Annual Review:
Shawn Weaver, Account Manager, Northeast IT, reviewed the current status of the town's IT infrastructure and provided a report of such. The workstations connected to the server, installed earlier this year, have the recommended NEIT managed anti-virus. Other workstations have anti-virus however, S Weaver made a recommendation to upgrade them to the NEIT managed anti-virus; the cost is \$3.50 per computer/per month. S Weaver also reported that there are some stations running Windows 2017 which will no longer be supported by Microsoft in January 2020. The Assessors computer is one due to the states Assessor program, currently undergoing a conversion to a new program. It is expected that once the conversion is complete the Assessors computer can be upgraded to Windows 10 or newer. Another belongs to the Police Department which needs to be verified remains in use. Other workstations running Windows 7 are the library systems for public use, not as much a concern. Backups are running well and patches (upgrades) are in the target range of 80% and up. Emails are a variety of free services, mostly Comcast, some Gmail and Yahoo. Recommendation is to secure a town domain and convert emails to that domain. The current support ("NetMon365") is 5 hours monthly, 2 for maintenance and 3 for support, at \$500.00. With the current managed backup and ant-virus the current total monthly is \$602.00. There are currently 74 hours banked which may be used for Windows 10/Office upgrades and an email conversion project. S Weaver recommended reducing the support plan to 4 hours monthly (\$400.00) and to add the NEIT managed anti-virus to the computers running free antivirus (bringing total to 21), which would bring the total monthly support to \$539.50. Phil asked what the largest risk is. S Weaver replied that user error is a high risk, many users are uneducated on how to detect fraudulent emails and may expose systems to malware ransom. Malware protection is important. Anti-virus software cannot stop all risks, but the managed software sends email alerts to NEIT support to determine if there is a risk. The software also

detects phishing emails which seek a response from users, it can be set up to re-direct the user to an online training. Teri asked if staff training is available through the NetMon contract. S Weaver replied it is not in the contract but enough hours are banked to send someone for 1 or two hours to provide training. Discussion returned to the email conversion. The proposal from last year was reviewed. Funding for the conversion was approved at town meeting. Discussion ensued regarding domains and the use of “.gov” vs. “.org”. S Weaver reported it’s approximately a 50/50 split of the domains used within the towns Northeast IT works with. An application process and cost of approximately \$400.00 is required for a “.gov” domain, with a recurring annual cost in addition to a required purchase of DNS services separately (\$60.00 year). Specific criteria must be met to qualify so the potential for imitation of the town’s name is reduced. Other domains, such as “.org” can be purchased for approximately \$20.00 annually. The application process is easy making imitation a higher risk. Potential domain names were discussed. Phil motioned to convert town emails with a new domain using westhamptonma.org. Second by Teri. So voted 3-yay, 0-nay. The recommendations made by S Weaver were reviewed. Requested that S Weaver update the NetMon contract with the proposed changes for the Selectboard to review and consider at the next meeting.

- Town Hall Chimney cleaning:
The fire department is not certified to clean chimney. Cheryl is to seek quotes. The highway department will install a cap.
- Library Trustee, Annmarie O’Reilly came before the board seeking guidance on how the Westhampton Public Library Trustees should proceed with the Renewable Energy Certificates Services Agreement held with Hampshire Power. A. O’Reilly reported that the current Trustees were not involved in the initial agreement and don’t have the knowledge to consider the current proposal. She also inquired if the Trustees have the authorization to enter into the agreement since it’s between Hampshire Power and the town. Phil replied that it is a town contract and the Selectboard can handle it, the net returns go into the General Fund. The terms in the proposed agreement are the same as the current one. He continued to describe the process of the sale and purchase of surplus energy. Hampshire Power retains 4% of the proceeds in exchange for the services provided to market and sell any Renewable Energy Certificates. The library has averaged \$5,000.00 a year in net returns. Phil recognized G Curtis who questioned contracting with Hampshire Power rather than seek alternative options. Phil replied the simple thing to do is go with them and see how they perform. If there’s any problems let the Selectboard handle it. Phil asked A. O’Reilly when the Trustees meet again, as he would like to discuss with them an issue with the furnace at the library. Whiting Fuel could not complete the annual service because the wiring is wrong. An electrician is needed to correct it. The contract with Fuel Services is effective October 1. Although the contract is for fuel delivery they will provide service at their usual rate. Many fuel companies will not provide service to locations they don’t deliver fuel.
- Fire Dept./EMS updates; Fire Chief Dave Antosz reported:
The EMS Coordinator position remains unfilled. Dave is meeting September 19th with the four remaining EMT’s to discuss the future of EMS. He proposed the EMS Coordinator start with a small stipend, similar to the Emergency Management Director. There is paperwork included under EMS that is not in the duties of the Emergency Management Director. Phil commented that the ambulance service is unlikely to continue without the required staff/licensing. Dave replied that’s what the meeting (19th) is for. Phil added that if the town doesn’t have the staff and cannot provide ambulance service than our agreement with Pioneer Valley Ambulance Service

could change. Dave reported that 30 day notice is required and the license is up in April. Phil spoke of the decreasing number of EMT's and that the ambulance agreement is based on that. He continued with noting the possibility of having emergency services is not a bad thing and described personal experiences with the responses to calls from local first responders and EMT's. Dave made point that the Westhampton Ambulance is basic service only. Any call to transport requires EMT's (must be 2) to stay at the hospital until relieved. Then there's clean up and re-stocking. EMT's here are volunteering their time. Pioneer Valley Ambulance has an agreement with other ambulance services, such as Easthampton, so when they're not available the call goes to the next one. Dave reported there have been 73 calls from January 1 to date, a total of 105 in 2018, and 123 in 2017. Based on those calls the Easthampton Fire Chief estimated a cost of \$25,000.00 per year for them to provide service for Westhampton. Dave recommended looking at Pioneer, Easthampton, and Southampton services. Phil asked if it would result in no more EMS in Westhampton. Dave replied it's waning, however, by law all firefighters must be first responders. He would like to see more individuals sign up. Dynamics have changed in the last few years and it's hard to ask volunteers to be on call. Phil asked that Dave provide an update at the next Selectboard meeting, September 30. EMS funding would require town meeting approval. Teri stated it would be helpful for the Selectboard to have a report comparing the options and the costs.

- Replacement of stepladder at Town Hall:
The 12 foot stepladder in the Town Hall is past it's service time. Bill Jablonski reported he and Scott had to use it to replace a lightbulb in the ceiling of the hall and to lower a basketball hoop. The metal locking stabilizers bow out and do not provide sufficient support for using the ladder. Phil reported he had purchased a stepladder years ago and brought to the library and offered it for sale. The director was not interested in purchasing it, but the ladder has remained there, essentially unused. It may be available to bring to the Town Hall, if it's the right size. Phil will look into it and measure the two ladders and report back at next meeting.
- Public Safety Complex Review Committee updates:
Phil reported interviews with two architects will be held September 24 with Caolo & Bieniek and Digorgio Associates, Inc. for designer services.
- Zoning Bylaw Review Committee had no updates. Cheryl reported that all zoning and general bylaws passed at the Annual Town Meeting have been approved by the Attorney General.
- The Annual Fall Festival is Sunday, October 20. On a motion from Phil and second by Maureen voted to close Stage Road from Southampton Road to the center and North Road from Perry Hill/Southampton Road intersection to the center for the Fall Festival from 11 a.m. to 6p.m. on October 20.
- Department letters to Christopher Norris, Julia Lennen, Alexander Antosz, and Susan Bronstein thanking them for their service were reviewed and approved.
- Highway Dept. updates, Foreman Bill Jablonski reported:
 - rebuilt four catch basins
 - fixed road signs that had been knocked down
 - processed bills & payroll last Thursday and Friday with guidance from David Blakesley and two software questions to Bob Miller
 - met with Palmer Paving. Montague Road will be closed Tuesday at 7am. Drivers will be

detoured to North Road.

Phil recognized that Bill had jumped in to do some highway administrative work in David's absence.

Bill requested, on David's recommendation, for authorization that he and Scott Tirrell attend a trade show Thursday to look at trench boxes and safety equipment if the paving is done by then. So approved.

Bill and Cheryl Provost reported they interviewed two applicants for the position of highway crew. They had submitted their recommendation to David Blakesley in writing and asked for his authorization and support to move it to the Selectboard. David approved and a copy of such was provided. Bill and Cheryl made a recommendation to offer the highway crew position to Zachary Pruzynski from Chesterfield. Cheryl explained he has all the licensing except a Massachusetts Hoisting Engineer License 4G endorsement. Teri inquired about the licensing and if he is the applicant with mechanical and welding experience. Bill replied he is, and explained he also has a CDL A, which is higher than the required CDL B and a Massachusetts Hoisting Engineer License with 2B endorsement. Phil made a motion to offer the position of highway crew to Zachary Pruzynski pending positive results from a CORI and background check and physical. Second from Maureen. So voted 3-yay, 0-nay.

- Part time officer search:

A written request from Chief White to re-appoint Spencer Hotz as a part-time officer was reviewed. Phil moved the request. Second by Teri. So voted 3-yay, 0-nay.

- Posting of agendas:

Phil recognized Shirl Morrigan to explain her request to register the town website as the legal location to post agendas. Shirl explained it's her perception that people are relying on the town website to know what's happening in town. She believes a problem exists where the site is largely populated by agendas and minutes, but not always, and that in 2020 feels it should be available on the internet. Phil replied that there's no full-time staff. Registering the website as the legal location means that if it's not posted to the site than the meeting is not valid, it adds an extra burden to part time staff. The section of posting requirements of Open Meeting Laws was reviewed. Towns are required to register the town website as the posting location only if the postings are not visible to the public at all hours. Notices may be posted on a bulletin board, in a loose-leaf binder, or on an electronic display. The current location is in a loose leaf binder in the agenda "mailbox" in front of the town hall and is lighted. Agendas are routinely posted to the town website as a courtesy. Phil does not think a change is necessary. Teri agreed to not need change of location, but wanted it to be policy to post to the website. Phil responded that doesn't change anything but would not be opposed to a motion. Maureen agreed there's no need to change the location. Teri motioned to have the registered posting location for agendas be the loose leaf binder in the agenda "mailbox" in front of the town hall and as a standard procedure to post the agendas to the town website. Second by Phil. So moved.

- Town Clerk search, Administrative Assistant Cheryl Provost reported one application was received from an individual with some municipal experience. The ad is published in the current issue of "The Beacon" (Mass. Municipal Assoc. monthly newsletter). She recommended keeping the search open until their next meeting on September 30.

- Minutes of Annual Town Meeting:
Cheryl reported that she reviewed the minutes and concurred with the report from Treasurer Patty Cotton on September 3 that article 22 did not include a motion. She revised the minutes to include the full motion that was made on the floor and posted the revised version to the town website.
- Elevator lift:
Cheryl reported state laws provide procedures to place elevators out of service for up to one year at which time they must be re-instated and inspected or decommissioned in compliance with law. She explained that at the time the lift was installed at the Town Hall all municipal offices were located there and there was a need for accessibility to the entire building. Now many of the offices and boards are located at the Annex which is accessible. The accessible entrance of the Town Hall is located on the North side and enters into the meeting hall. Access to the upper level of the Town Hall is still required but with most offices moved the need is not as great. When needed, committee and board meetings can be moved from the Margaret Parsons Room to the meeting hall for accessibility and the Town Clerk may also provide service in the meeting hall. This method could be used on a temporary basis while the lift is out of service. Phil suggested installing a ramp going from the accessible parking area to the door at the rear of the building behind the stage. He also suggested cleaning up the stage area, adding that if the lift was in use it would be difficult to navigate a wheelchair around the stage to get to the offices. Bill Jablonski added to the discussion that the highway dept. could do some of the work on the wall and ramp. Discussion ensued regarding the property line and potential for need of a right of way. Cheryl was directed to prepare a letter to place the elevator out of service to be reviewed at the next meeting. Phil and Highway Department will further investigate the feasibility of a ramp.
- FY20 budget:
Final enrollment to vocational school was provided and the line item budget updated. The amount appropriated is \$350,000.00 and the calculated tuition is \$300,737.00 (SPED is variable) leaving an excess in appropriation of \$49,262.00. New growth and local receipts figures not final yet. If needed, vocational education appropriation can be reduced at town meeting to balance the budget which is currently \$12,121.00 over levy limit, however there should be enough funds left to ensure SPED costs are covered fully and in case there is a mid-year student transfer in. Discussion ensued regarding fall special town meeting. A date will be chosen after the payout agreement for group health insurance savings is determined.
- Correspondence was reviewed:
 - notice of resignation from Sarah Challet from the Board of Assessors effective September 30, 2019. This will leave two vacancies on the board. There is to be an increase in efforts to find members.
 - notice of interest of appointment to the Council On Aging from Colleen Basile. Phil motioned to appoint as requested. Second by Maureen. So voted.
 - Hampshire Regional learning community invitation for Oct. 1, 2, and 7 at various times.
 - Mass. Municipal Assoc. "Beacon" and notice of Legislative Breakfasts.
 - Police Dept. notice of two complaints (Curtis and Beliveau) about a horn blast over the weekend. Discovered not firetruck horn but a camper leaving KOA. PD to notify KOA.
- Discussion was held regarding the Open Meeting Law training to be provided by KPLaw. Cheryl was asked to see if October 28th is available.

- Phil returned discussion to the SREC agreement with Hampshire Power. The agreement was reviewed. Phil motioned to approve the agreement as presented. Second by Maureen. So voted 3-yay, 0-nay.
- Administrative Assistant updates, Cheryl Provost:
 - Attended Mass. Municipal Human Resources Conference in Northampton September 12 & 13. Topics covered were discipline & investigations of harassment complaints. Worker's comp and public safety injured on duty insurance, employee handbook, "Building a Culture That Empowers Employees", pay equity.
- Phil took issues not on the agenda and acknowledged Ginny Curtis. She reported that the TRIAD is meeting Wednesday with the office of the Sheriff and District Attorney for the startup of the safe box program. Ten residents are currently signed up for installation. G Curtis noticed the executive session did not include the Cotton matter and asked if it will be reviewed. Phil replied there is nothing to review at this time. Teri replied she is not familiar with the new decisions and filings on the case. G Curtis spoke of some of the court filings on the matter. Maureen suggested scheduling a case update from KPLaw which she found helpful. Also helpful when she first started on the board, she had reviewed them with Cheryl for background. A case update with KPLaw is to be scheduled.
- Enforcement letter-0 Main Road:

The order to cease and desist was reviewed. Teri motioned to send the letter dated September 16, 2019 to the Marchand's and Sacharczyks for cease and desist of operation of a junkyard at 0 Main Road as drafted by the attorneys. Second by Maureen. So voted 3-yay, 0-nay. Teri asked that the Building Inspector be directed to send his enforcement letter to the same addressees and with reference to the same inspection notice.
- The Selectboard voted by roll call, 3-yay, 0-nay, to enter into Executive Session at 9:35 p.m., pursuant to G.L. c. 30A, section 21(a)(3), as the Chair declared that discussion in a public meeting may have detrimental effect on the town's potential litigating position with respect to enforcement action for property at 0 Main Road-Westhampton Auto/JAWS; review and potential approval of minutes of executive session held September 3, 2019; and with respect to the following litigation: Cotton Tree Service, Inc., et al. v. Planning Board of the Town of Westhampton, et al., Hampshire Superior Court, C.A. No. 1580 CV 00112 . Open session will resume after executive session.

Adjourned Executive Session and returned to Open Session at 10:00 p.m.

Next meeting: 7:00 p.m. September 30, 2019.

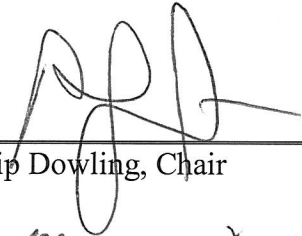
- Documents submitted:
 - Northeast IT Annual Review
- Documents signed:
 - Chapter 90 payment request in the amount of \$43,663.00 for asphalt for various roads
 - Department letters to Christopher Norris, Julia Lennen, Alexander Antosz, and Susan Bronstein thanking them for their service
 - Renewable Energy Certificates Services Agreement between Town of Westhampton and

Hampshire Power

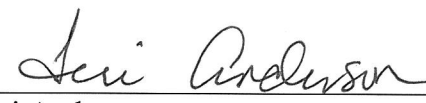
-cease and desist of operation of a junkyard at 0 Main Road to Marchand's and Sacharczyks

Meeting adjourned at 10:03 p.m.

Approve:


Philip Dowling, Chair


Maureen Dempsey


Teri Anderson