



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

Minutes of October 28, 2019

The meeting convened at 7:00 p.m.

Present from Selectboard were Phil Dowling and Maureen Dempsey.
Others present were David Blakesley (Highway Superintendent), Steve Holt, Ginny Curtis.
Minutes were taken by Cheryl Provost.

Warrants were reviewed and signed for:
Payroll: \$79,684.10
Vendor: \$428,862.00

Minutes of October 17, 2019 were reviewed and approved by unanimous vote.

- Highway Dept. updates, Superintendent David Blakesley reported:
 - The Dept. of Environmental Protection Recycling Dividend Program under the Sustainable Materials Recovery Program contract was reviewed. Phil motioned to approve the Recycling Dividend Program Contract between the Commonwealth of Mass. and Dept. of Environmental Protection and the Town of Westhampton for the amount of \$5,600.00 under the Sustainable Materials Recovery Program. Second by Maureen. So voted unanimous.
 - new crew member Zachary Pruzynski started on the 21st and is working out well.
 - vehicles of the highway and fire department were inspected last week, all passed. In years past used Mass. Mobile Inspection. They have downsized to one inspection truck and didn't have time to come out. Used a new company, Yield Management Corp. Found their service satisfactory and they're happy to provide the service for future years.
 - a hazardous waste collection was held Saturday (Oct 26) at the Westhampton Highway Department, organized by Hilltown Resource Management Coop. The program is open to all HRMC member towns. Bill Jablonski was there to see how the process works.
 - the Mass. Inter-local Insurance Assoc. grant application was submitted.
 - traffic count strips are inserted on Montague Road.
 - notice of Right Of Ways as authorized at Annual Town meeting were sent certified mail to abutters of the Kings Highway Bridge project. David cannot sign his own notice, will need to be signed by Phil. So completed.
 - started working on specs for fuel storage tanks.
 - submitted concerns about ambulance and fire department. He began this under the previous fire dept. administration at the request of the Selectboard in response to a complaint heard against him by former Chief Norris and had not pursued it. Although many of the concerns have been resolved under the new administration he wanted to submit it now for the record. So noted.
- A property coverage increase from Mass. Inter-local Insurance Assoc. was reviewed for the Westhampton Elementary School. The valuation was updated from \$4,147,814 to \$4,533,100, an increase of \$385,286. Property coverage is provided on a blanket basis at 100% replacement

cost. The updated blanket limit for all locations is recommended to be increased to \$10,235,807. The total increase in premium is \$567. Phil motioned to accept the revision as recommended by Mass. Inter-local Insurance Assoc. Second by Maureen. So voted 2-yay, 0-nay.

- The Audit Engagement Letters from Scanlon & Associates for Fiscal Years 2018 & 2019 were reviewed. Phil motioned to accept the terms of the audits for the amount of \$14,250.00 each (total \$28,500.00). Second by Maureen. So voted unanimous.
- The meeting scheduled was reviewed. Next regularly scheduled date is November 11, Veteran's Day. Voted to hold the next Selectboard meeting November 13.
- Animal Control Officer request:
An email request from Don Tryon, Animal Control Officer, for partial payment of rabies vaccination was reviewed. He is asking the towns of Chesterfield and Westhampton, where he serves as Animal Control Officer and Inspector of Animals, to split the cost of vaccination against rabies due to the risk of potential exposure while responding to calls. He quoted the cost from one provider to be \$495.00 per shot. A three-shot series is required for a total of \$1,485.00; or \$742.50 per town. Discussion concluded that the funds are not available in the Animal Control Officer Expense budget. Phil and Maureen support the request and to consider funding options. They want to know how long the shots last and if recurring costs are anticipated. Discussion to continue at a future meeting.
- The Selectboard voted by roll call, 3-yay, 0-nay, to enter into Executive Session at 5:54 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 Athanasiou v. Town of Westhampton, Superior Court, C.A. 1480CV00154, Appeals Court, 2019-P-0487, Fondakowski, et al. v. Westhampton Planning Board, Superior Court, C.A. 1780CV00105, Cotton Tree v. Planning Board of Westhampton, Superior Court C.A. 1580CV00112, evaluation of judicial enforcement relative to property located at "0" Main Road

Adjourned Executive Session and returned to Open Session at 6:43 p.m.

- Joint meeting with Finance Committee:
The draft warrant articles for a special town meeting were reviewed.

Article 1 will seek authorization to reduce vocational tuition by \$25,000.00 (from \$350,000.00 to \$325,000.00). With final enrollment at the opening of the school year the line item had an excess of \$49,263.00. Some excess is desirable to allow for mid-year enrollments or for unanticipated costs of special education. Reducing the line item will balance the overall budget. There was discussion of other options to balance the budget, such as a transfer from Free Cash, increase to new growth, or increase to local receipts. It was determined any would end with the same effect.

Article 2 will seek authorization to establish and fund a one-time payment for a Group Health Insurance 2019 Agreement. The town's group health insurance deductibles changed and as a result there were savings in the premiums. The town negotiated with the school union and reached an agreement to disperse 50% of the savings in one payment to covered employees. The total disbursement is \$6,191.04. Maureen explained the negotiations that were held.

Article 3 will seek authorization to establish and fund a salary for the Emergency Services Coordinator. The role of EMS doubled with the Fire Chief role over the past few years but has recently re-established as a separate role. The salary of \$474.00 is proposed by the Selectboard. The history of the position was discussed. It was asked if the salary could be combined with the Emergency Management Services account. It was determined they should be separate.

Mary Cleary motioned to recommend to reduce Vocational Tuition to \$320,000.00. No second. Tom Cleary motioned to recommend to reduce Vocational Tuition to \$325,000.00. On a second, the motion was approved by the Finance Committee 8-0-0.

Tom Cleary motioned to recommend article 2 as written. On a second the motion was approved by the Finance Committee 8-0-0. (Article as recommended: "To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$6191.04 for Health Insurance 2019 Agreement, or take any other action in relation thereto").

Tom Cleary motioned to recommend article 3 as written. On a second the motion was approved by the Finance Committee 7-yay, 1-nay, 0-abstain. (Article as recommended: "To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$474.00 for Emergency Medical Services Coordinator, or take any other action in relation thereto").

The Selectboard approved the articles as recommended by the Finance Committee and set the date of Special Town Meeting for 7:30 p.m. on Wednesday, November 13, 2019.

- At 7:05 p.m. the joint meeting adjourned to the Open Meeting Law Training/All Boards Meeting. The Selectboard will resume when that's completed.

The Open Meeting Law training commenced at 7:05 p.m. Several board and committee members were present as well as members of the public. The review of the Proposed Public Meeting/Public Hearing Guidelines was postponed by the Selectboard and there was no business conducted by any of the boards.

- Regular Selectboard meeting resumed at 8:15. Present from Selectboard were Phil Dowling and Maureen Dempsey. Also present was Steve Holt. Cheryl provost took minutes.
- Town Clerk search:
Phil and Maureen considered appointment of Cheryl Provost as Town Clerk, she had submitted her interest by email. Phil has concern that there is no backup for either position if Cheryl is unable to be in the office. He suggested one solution may be to consider funding an assistant position in the next fiscal year. Discussion ensued regarding a schedule and official start date. Phil motioned to appoint Cheryl Provost as Town Clerk. Second by Maureen. So voted 2-yay, 0-nay.
- Elevator lift:
Discussion was held regarding the overdue inspection, ADA compliance, and the complications of revisions to the rear entrance. A cost provided by Associated Elevator (assigned to the elementary school lift inspection) was \$1,161.00, and for an inspection was approximately \$1,305.00. However, there may be fines applied by the state. There is an appeals process. The

school was fined \$5,000.00 and filed an appeal. It was determined that the inspection should not be ignored any longer and it is to be considered the cost of doing business. Phil motioned to schedule an inspection of the elevator with Associated Elevator. Second by Maureen. So voted unanimous.

- Correspondence was reviewed:
- Other:
David Blakesley reported he attended the pre-construction hearing for the Montague Road solar with the Planning Board, Building Commissioner (Tom Quinlan), and Conservation Commission. He just received this week the plan with his concerns where they're going to meet the town road and it met his approval. Tom is close to issuing a building permit.

Phil noted that the state has issues with clear cutting to install solar rather than use parking lots or other infrastructure. There is momentum to create an incentive to install on lots and landfills.

- Next meeting: 7:00 p.m. November 13, 2019
- Documents submitted:
-Expense Report through October 17, 2019
- Documents signed:
-property coverage increase from Mass. Inter-local Insurance Assoc. in the amount of \$567.00
-audit engagement Fiscal Years 2018 & 2019 with Scanlon & Associates for the amount of \$14,250.00 each (total \$28,500.00)
-Notice of Right Of Way to David and Laura Blakesley

Meeting adjourned at 8:35 p.m.

Approve:

Philip Dowling, Chair

Maureen Dempsey

Teri Anderson