

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

Minutes of November 25, 2019

The meeting convened at 7:00 p.m.

Present from Selectboard were Phil Dowling, Maureen Dempsey, and Teri Anderson.

Others present were David Blakesley (Highway Superintendent), Patty Cotton (Treasurer), Bill Jablonski, Joshua Menke, Bob Miller (EMS), Suu O'Rourke, Winnie Gorman, Marilyn Witherell, Barbara Pelissier, Stephen Holt, Thomas M. Cleary, Sr., Mark Gould, Peter Cleary, Bill McCloud, Brad Morse, Dave White (Chief of Police) and Shelby Macri from Country Journal. Minutes were taken by Cheryl Provost.

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

Payroll: \$87,339.91

Vendor: \$217,892.36

Minutes of November 13, 2019 were reviewed. Motion by Teri to amend page 4 was approved. Minutes as amended were approved by vote of 3-yay, 0-nay.

- Highway Dept. updates, Superintendent David Blakesley reported:
 - Solicited for three quotes for the installation of the fuel storage tanks. One quote was received from Miller's Petroleum Systems, Inc. in the amount of \$34,850.00 and is \$77.00 over the appropriation. The amount appropriated was based on an estimate from the spring. Additional costs will be incurred for the material to pour the concrete pads. David anticipates an additional \$2600.00 will be needed to complete the project and made a recommendation to accept the quote and to seek a transfer from the Reserve Fund from the Finance Committee. The recommendation was supported. The contract will be awarded when the funds are available.
 - Been cleaning up leaves, gravel roads, marking basins to prepare for the winter weather.
 - Discussion was held regarding the schedule for the pole hearing. The Selectboard voted to hold a pole hearing at 7 p.m. on December 9 for Eversource to install two jointly owned poles in the area of the "Narrow Bridge" on King's Highway in relation to the MassDOT bridge project #608631. Discussion ensued regarding Order For Pole Locations as proposed by Teri Anderson. David had no objections to the proposal.

David reported on the Property and Energy Assessment Committee. The committee toured 4 of the 6 town buildings. They met on November 20 to review the visits and started to categorize projects. The committee is seeking more information from the Energy Reduction Plan. Phil explained there isn't more information than what is found in the plan. He is making plans to meet with the new Green Communities Western Regional Coordinator to learn more about the program and application process. Discussion ensued regarding potential projects such as replacement of the Town Hall doors and Elementary School boilers.

- Treasurer, Patty Cotton reviewed the status of property in Tax Title located at 225 Northwest Road, formerly the Kellogg property. The owner failed to adhere to a payment plan agreed to between himself and the town and has not made payments. The property was given to the Tax Title attorney from Berenson and Bloom to process a foreclosure through the court. The court entered final judgement on November 12 granting ownership of the property to the town. It is believed there are relatives of the owner residing in the dwelling. The attorney offered to send the property owner a notice to voluntarily vacate the premises to safeguard the town's interest. Patty requested authorization to have the notice sent. Discussion ensued regarding history of the Tax Title account, occupants, and liability. The Board of Health has been trying to condemn the dwelling. Phil motioned to contact Town Counsel and if they agree with notice to vacate to authorize Patty to notify Berenson & Bloom to send it. Discussion ensued regarding the opportunity to review counsel's opinion. Phil amended his motion as to contact Town Counsel to get procedure, options, and recommendations of notice to vacate. Second by Teri. So vote 3-yay, 0-nay.

Patty reported that the Decommissioning Assurance Agreement for the "Sunrise On Montague" solar facility does not provide what is to be done with the interest. Mass. General Law states it's supposed to be in the agreement. Town Counsel had reviewed the agreement for the Planning Board, Patty suggested it should go back to counsel. It was agreed to look into the matter.

- A Tax Classification Hearing is required to set the tax rate prior to sending the next tax bills out. Dave Zagorski, Assessor Assistant, spoke to the Representative at the Dept. of Revenue and they discourage sending third preliminary bills. D Zagorski has begun to enter all the values into the state CAMA program in order to submit them for approval by the Dept. of Revenue in time to send out the tax bills. He committed to have the values completed in time to hold a hearing on December 5. Voted to schedule the Tax Classification Hearing for December 5 and to have a meeting open at 6p.m.

Winnie Gorman had submitted an interest to join the Board of Assessors and was present to see the board. She provided some background information and stated she had attended a couple meetings of the Board of Assessors and is prepared to join them. On a motion by Teri, second by Maureen, voted 3-yay, 0-nay to appoint Winnie Gorman to the Board of Assessors.

- Class License application for William McCloud was reviewed. Teri made a recommendation to review the stipulations assigned by the Zoning Board of Appeals for the Special Permit and to review conditions of all Class Licenses to gain knowledge of requirements. Discussion ensued regarding the history of the Class License renewal process. Phil motioned to sign the renewal for Class II License to William McCloud for Northwest Restoration located at 275 Northwest Road. Second by Maureen. So voted 2-yay, 1-abstain (Teri).
- Brad Morse submitted an application for renewal of a Farmer Brewery Pouring Permit. B Morse explained that they tried hours Fridays through Sundays, Fridays were a "bust" and Saturdays and Sundays were good, averaging 20 customers. Festivals brought closer to 100 customers. Never did private events. B Morse described the original process of the licensing. Phil asked Chief White if his department had any issues from this, he replied none. Phil opened the floor for comments. Tom Cleary asked if this application is for pouring. Phil replied yes. T Cleary inquired of sales of products not produced on the farm, as example a label with "Sourced Farm".

B Morse explained that everything is produced on the premises. They may purchase juice or grapes from California so “source” refers to where the juice and grapes come from. Tom asked if the town makes any money from the licensing. The procedures will be reviewed before considering renewal of the license. B Morse met the deadline of November 30 to submit an application, the town has until January to submit approval to the state.

- Barbara Pelissier visited to request the board to consider posting minutes of school committee meetings to the town website. She asked that the links to the school be checked for proper function since there is no school information on the town web. Through research she found that the reports are available to all district towns and can be received by request to Kristen Smidy, Principal, HRHS. She added that the reports are informational. The request was noted.
- Police Department, Chief White reported:
 - Greenfield Community College has agreed to purchase the surplus cruiser for the sum of \$3,000.00. A Purchase and Sale Agreement was reviewed and approved and voted to authorize Phil to sign on behalf of the Board. Motion was made and approved to authorize Phil to sign the Bill of Sale and Title upon receipt of payment and signed Purchase and Sale Agreement of buyer.
 - Eric Weiss from Pioneer Valley Planning Commission is helping Kristen Smidy on a proposal to fund a School Resource Officer. They're in contact with Lieutenant Governor for support.
- Phil opened the floor for issues not on the agenda before moving onto other business. Bob Miller stated he is present to discuss the Emergency Medical Services items. Phil asked that he bring information to the next meeting to allow others involved to participate. Bob reported that he held an informational meeting last week. Four individuals are interested in moving forward with EMT training. There were questions of reimbursement from the town. Bob asked if the Selectboard would budget for next year for training 3 or 4 individuals or if there's funds this year. Discussion ensued regarding the certification and training process. Phil closed discussion to be reviewed further on December 9.
- Joshua Menke visited to express his interest in joining the Cultural Council. He provided some background information and reasons for his interest. Phil motioned to appoint Joshua Menke to the Cultural Council for a term of 3 years. Second by Maureen. So voted.
- Adoption of public meeting and hearing rules and form of agenda will be considered Dec. 9.
- A review of executive session minutes for consideration of release is due. Voted to authorize Phil and Cheryl to conduct an initial review of the executive session minutes and report their findings to the full board at a posted meeting.
- Special Legislation to ratify and affirm all votes taken at annual town election was signed by the Governor.
- The Public Safety Complex Building Committee was scheduled to meet December 11, Mark Sullivan won't have the information available so they will have to reschedule.

The Consultant Agreement from DiGiorgio Assocs. was reviewed. Items and questions discussed and the following were confirmed. The bid release schedule is still realistic and

there is sufficient time to complete the design work by Feb. 1; the contract should state that all completed plans/deliverables are the property of the town including any materials; a schedule is to be included for submission of invoices; scope of work for a 15% markup for reimbursable expenses to be reduced to 10% or less; furnishings and equipment are not included in the contract; architect will be requested to attend town meeting if needed. Other revisions recommended by town counsel were approved, including an insertion for statutory certifications and required provisions, and insurance. Phil will work on a revised agreement and send it to DiGiorgio for their review then bring it before the board at the next meeting.

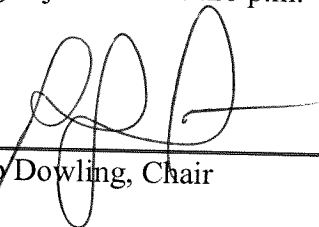
The Owner's Project Manager Agreement was reviewed. Phil motioned to approve and sign the contract. Maureen never had a problem with them on other projects in the town. Teri knows them as a reputable and a good firm; as protocol would like more time to review the agreement. Phil explained they've been providing services without an agreement and have hired contractors for the project. He has fully reviewed the agreement and has no reservations about signing it. Maureen made a second to motion. So voted 3-yay, 0-nay.

- Cheryl reported she provided the auditors with the backup of some procurement as requested.
- Teri requested a vote to adopt the proposed Order for Pole Location. It will include space for town internet. Teri motioned to adopt proposed Pole Location Standard Conditions. Second by Phil. So voted.
- Teri requested that any items on the agenda that will not be taken up be announced at the beginning of the meeting. So agreed.
- Elevator lift:
Associated Elevator requires a minimal lubrication service agreement in order to provide the inspection service. An agreement was reviewed. The cost is \$195.00 quarterly, effective December 1, 2019, or \$390.00 for the remainder of FY20. Having the service will provide the opportunity for any issues to be resolved prior to the inspection. Phil motioned to accept and enter into the Lubrication Service Program Agreement effective December 1, 2019 at the cost of \$195.00 quarterly. Second by Maureen. So voted.
- Correspondence was reviewed:
 - Comcast price changes to cable service
 - Pioneer Valley Planning Commission Regional Roundtable Luncheon December 10, topic is shared municipal services
 - MasFiscal.org-Transportation initiative
- Next meeting: 6:00 p.m. December 5, and 7:00 p.m. December 9, 2019
- Documents submitted:
 - Expense Report through November 28, 2019
 - results of solicitation for quotes for the installation of fuel storage tanks at the highway garage
 - Consultant Agreement between Town of Westhampton and DiGiorgio Associates, Inc.
 - request from Eversource for hearing to install two jointly owned poles in the area of the "Narrow Bridge" on King's Highway in relation to the MassDOT bridge project #608631
 - standard conditions for pole location

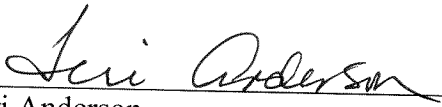
- Documents signed:
 - Agreement for Owner's project Management Services between Town of Westhampton and D. A. Sullivan & Sons, Inc.-Purchase & Sales Agreement between the Town of Westhampton and Greenfield Community College for one 2008 Ford Crown Victoria Police Cruiser in the amount of \$3,000.00
 - Lubrication Service Program Agreement between Associated Elevator and the Town of Westhampton
 - Class II License to William McCloud for Northwest Restoration located at 275 Northwest Road
 - Application from Brad Morse for a Farmer Brewery Pouring Permit located at Outlook Farm, 136 Main Road

Meeting adjourned at 9:20 p.m.

Approve:


Philip Dowling, Chair


Maureen Dempsey


Teri Anderson