



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

August 22, 2016

The meeting convened at 7:00 p.m.

Present were Art Pichette and Jim Huston. Other officials present were Cheryl Provost, Dave White, Steve Holt, and Wayne Parks. Also present were Ginny Curtis and neighbors of KOA Campground.

- Fuel Bids: The Heating Fuel Bids were opened at 7:00p.m.
  - O'Connell Oil Assoc. Fixed Price \$1.979 per gal. /Over Rack \$0.37 per gal. Service contract starting at \$249.95/ heating service \$90.00 per hr. /plumbing service \$110.00 per hour.
  - Whiting Energy Fuels Fixed Price \$1.91 per gal. /Over Rack \$0.25per gal. Service \$85.00 per regular business hours/\$125.00 per hour after regular hours, weekends, and holidays.
  - Mirabito Fixed Price \$2.0697 per gal. /Fixed pre-pay \$1.9197per gal. /Over Rack \$1.8256 per gal. Service \$89.00 per business hour/\$120 per after hoursFuel Services had the prior year contract and was interested in bidding, bid was not in.

Voted 3-0 to accept Whiting Energy Fuels fixed rate bid of \$1.91 and service at \$85.00 per regular business hours/\$125.00 per after hours.

Warrants were signed for:      Payroll: \$56,358.13  
   Vendor: \$117,402.74

Approved minutes of August 8, 2016

- Dave White, Chief of Police, reported:
  - KOA Campground complaints were minimal this summer with 1 disturbance, 1 noise complaint at 11:00 p.m., and 1 theft of wood from an abutter. Since August 16, 16 reports of an air horn sounding. Dave notified the campground owners of the complaints.
  - Discussion opened with the abutters of their complaints of the campground. Donald Nutting and Denese Beliveau complained of a horn sounding from an ice cream truck to alert children of its presence each time it goes up the hill of the campground to the safari area. Abutters also complained of the fire truck horn sounding. Ms. Curtis submitted and reviewed a letter to the Selectboard and referred to the Selectboard minutes from August 24, 2015 when it was voted to send a written order to Mr. Kelsey to remove from the fire truck the siren and a cease and desist of offensive horn sounding. The letter also referred to a request to address complaints of the campground dated April 16. The letter also complains of procedures of a special permit process. Ms. Curtis stated that from the activities of this year at the campground the Selectboard is not

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doing anything about the complaints. The letter also seeks answers to questions of the special permit and requests a response by September 2.

Art confirmed the letter had been sent to the Kelseys and the horn was removed. The abutters present at meeting reported the air horn on the fire truck has been sounding and they requested the cease and desist to be upheld. The Selectboard noted improvements at the campground over the years and believe progress has been made with cooperation, not force. The abutters want action taken on a nuisance complaint. Dave White explained the process for a nuisance complaint stating "time, intent, place" are considered. The noise is not after 10:00 p.m., there is no criminal intent, and is conducted at a place of business. The Police Dept. can respond to and file a criminal complaint, although Dave believes this is a civil case. The neighbors can sue the campground in a civil complaint. The Selectboard will request the Kelseys come in to discuss complaints at a future meeting.

Discussion turned to address the special permit process. Ms. Curtis spoke of the Planning Board hearing regarding the solar field application on South Road, and asked when the Selectboard authorized the hearing. She also stated that Art attended the meeting, acting on behalf of the Selectboard. Art replied the Selectboard does not authorize Planning Board hearings; the Planning Board follows bylaw procedures. He attended the hearing to notify people. To try to have the process done right we are seeking technical assistance from Pioneer Valley Planning Commission at no charge. Art noted that the town also has an applicant to respond to. People need to be handled fairly in all matters. The Selectboard has no jurisdiction over the Zoning Board of Appeals or the Planning Board. When two boards cannot resolve differences the Selectboard may come in with counsel to clarify. Ms. Curtis reported that no public notices were given. The Planning Board decided to accept the application without public notice after the Building Inspector approved building the solar panels, then withdrew approval. She believes the Zoning Board of Appeals, Planning Board, and Selectboard are ignoring "abutters" by taking no action while pushing through other items. Art clarified that nothing is being pushed through regardless of who has submitted applications, noting that things take time.

Dave White continued his report:

- investigated 46 Lyman Road for unregistered vehicles. One is being removed, two are being registered, and the owners are moving forward to remove the remaining vehicles. Selectboard will follow up with a letter.
- requested the detail hourly rate be increased from \$40.00 hourly to \$42.00 hourly to reflect a near average rate for traffic control services. There is no cost to the town for the increase. Voted by roll count of 2-0 to increase the rate of detail pay to \$42.00 hourly.
- the Kiwanis Club requested permission to place a sign near the town line demonstrating their support of the Westhampton Police Department. They are the organization that paid for the narcans program. Voted to allow the sign to be placed within the regulations of town and state laws.
- the Hampshire Regional High School is funding a School Resource Officer for 8 hours per week for the next academic year. Matt Malo has agreed to take on the position. Details are being worked out. Agreed that this is a good idea and voted to approve the Westhampton Police

Department to move forward with plans. Details on how to execute the financial portion need to be worked out with the Accountant and Treasurer.

-department is busy with speed patrols on the newly pave roads.

- Trick-or-Treat date:

Voted to hold trick-or-treat hours on Monday, October 31

- Town Hall Paint IFB:

The sealed bids were opened in public at 1:00 p.m., Wednesday, August 17 at the Town Hall by Art Pichette. All bidders provided the required documents. Gentlemen Painting submitted \$2,435 as the base bid and were notified, seeking clarification. They responded with a letter stating the amount was an accident and should have been \$24,350; they could not honor the low bid. The Selectboard voted 2-0 to reject the bid submitted by Gentlemen painting. All the base bids with alternate 1 and 2 were too far over the town appropriation of \$30,000. The Library recently voted to fund their portion of the project on their own. Cheryl had the opportunity to discuss the bids with Phil Dowling who spoke in favor of allowing the library to seek their own quotes and awarding the base bid with alternate 1 to the lowest bidder. It was determined that alternate 1 must be included in the project and voted 2-0 to award the contract to ASAP Painting and to authorize Cheryl to negotiate down to the town's appropriated amount.

CONTRACTOR NAME	BASE BID	ALT 1 BID	ALT 2 BID	BASE + 1	BASE +1+2	RESULT
CORNERSTONE BUILDING SERVICE	38,500	1,005	4,739	39,505	44,244	
GENTLEMEN PAINTING	2,435	900	2,100			REJECTED
ASAP PAINTING, INC	<b>29,900</b>	<b>450</b>	5,870	<b>30,350</b>	36,220	<b>BASE + 1</b>
SCHOLAR PAINTING, LLC	38,820	3,320	6,240	42,140	48,380	
DIMITRIOS C. CONTRACTING	34,400	5,000	7,000	39,400	46,400	
DRIZOS CONTRACTING, LLC	56,000	3,000	6,000	59,000	65,000	
FOX PAINTING	29,000	4,000	3,000	33,000	36,000	

- Art suggested forming a Zoning Bylaw Review Committee to study and make recommendations for revisions to the Westhampton Zoning Bylaws. Early suggestions on members were 2 Planning Board members, 1 Zoning Board of appeals member, John Shaw, 1 Selectboard member (Art Pichette), and Ginny Curtis. This will be on the agenda for a future meeting. John Shaw and members of the Planning Board and Zoning Board of Appeals will be notified of the meeting.
- On July 25, Tom Hathaway filed a Disclosure of Conflict of Interest and Disclosure of Financial Interest regarding the Solar Array application. As an elected official they will be filed with the Town Clerk.

- Cheryl reported that Bob Miller has inquired if the town is interested in any of the surplus tables from the church; they are replacing some older ones. Agreed to accept tables from the church to replace some of the damaged ones in the Town Hall.
- Cheryl provided an updated FY17 budget with Final Cherry Sheet figures, indicating the budget is \$7,229.00 under the levy limit.
- Hampshire Regional High School volunteer work program has openings Tuesdays from noon-1:45 p.m. and Wednesdays from 9:00-11:30 a.m. It is a school-based work program to help students develop a reference base and resume for future jobs. Anthony Domingo, HRHS Job Developer, visited during the week to offer the town one of those days. They generally like to have a location to commit to a day throughout the school year. Voted to authorize Cheryl to contact other departments and determine if there's enough work available to offer the program a commitment.
- Vacancies are being updated and published.
- Council On Aging Applicants:  
Cheryl reported that Alisa Klein regretfully declined the offer to take the Council On Aging Coordinator position. Louise Jasionkowski has been covering some of the duties and reported to Cheryl that she will continue to until a replacement is found. The Council On Aging is meeting on August 26 and will discuss having an interim Coordinator.
- Correspondence:
  - Comcast supplied Emergency Operations Director contract information advising the information is for use by town officials only. The information will be on file.
  - Mass. Dept. of Transportation sent notice that bridge inspections are being completed across the commonwealth and missing signage will be reported.
  - Pioneer Valley Planning Commission is holding a workshop on Chapter 40B-the Comprehensive Permit Law, from 6:00 p.m.-8:30 p.m. on Monday, September 19. The workshop conflicts with the next scheduled Selectboard meeting.
  - a note of thanks from a resident to town officials was forwarded from the Assessor's office praising the highway department for their work and thanking the town for being responsible with the taxpayers money.
  - Chris Norris, Fire Chief, has been awarded the Chief Training Officer Designation by the Commission on Professional Credentialing, Center for Public Safety Excellence.
- Administrative Assistant, Cheryl Provost reported:
  - received several quotes for the printing of the town flag. Some of the quote procedures are vague and need clarification to be sure we'll get what we want. The prices range from \$140-\$240 for one. Cheryl inquired if she should proceed with an order and if there will be an additional one needed for in the Town Hall. It was voted to authorize Cheryl to place an order for two town flags, one for the Hall of Flags at the State House and another for the Westhampton Town Hall.
  - completed a work report for August 9 through August 22 and a work schedule for August 23 through September 9; will email both to Selectboard following meeting.

-Aug. 18, attended “Creating the Respectful Workplace”, 11:00 a.m. – 12:30 p.m. at the Southampton Town Hall; a MIIA workshop.

-received town flag quotes ranging from \$140 through \$220. Reviewing the quotes to be sure the prices are for exactly what is needed. The flag is being paid out of the Town Hall gift account; will be speaking to Joe on Tuesday about the status of that account.

- A concerned citizen claimed there are individuals using the transfer station that do not have permits to do so. There are others throwing bags in the compactor without the required bag stickers. Overall, fears the transfer station is losing revenue.  
In response, the transfer station attendant is known to be diligent for issuing permits. Some residents chose not to display the sticker on their vehicle. The goal is for the transfer station to pay for itself.
- Signed the Town Hall Roof Repairs contract for replacing missing or broken slate; replacing the flat porch roof with rubberized roofing including the valley, re-nail ridge vent and coat with Robert’s roofing for \$5,700.00; as voted on July 25.
- Signed the Painting Town Hall Exterior contract with ASAP Painting, Inc, 117 Russell Street, Hadley, MA 01035 in the amount of \$30,350.00 or any amount lower.
- Signed the Northwest Road Culvert Relining Project contract with Tim Zanelli Excavating, LLC, 299 Main Street, North Reading, MA 01864 in the amount of \$107,950.00.

Adjourned meeting at 9:00 p.m.

Approve:

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James Huston, Clerk

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Arthur Pichette