



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

June 26, 2017

The meeting convened at 6:30 p.m.

The Public Hearing was opened at 6:35 p.m. Present were Phil Dowling, Jim Huston, and Art Pichette. Brad Morse was available to answer questions. Interested residents were in attendance. The purpose of the hearing was explained as being required for the purpose of procedures for submitting applications for pouring permits to the Alcohol Beveridge Control Commission. The conditions of the permits were reviewed:

- Public hours November 1 through April 30, 3:00 p.m.-6:00 p.m. Fridays and Saturdays. Noon to 3:00 p.m. Sundays.
- Public hours May 1 through October 31, 4:00 p.m.-6:00 p.m. Fridays and Saturdays. Noon-3:00 p.m. Sundays.
- Private hours May 1 through October 31, 4:00 p.m.-10:00 p.m. Fridays and Saturdays.
- Boundaries as outlined on plan submitted to and approved by the ABCC.
- Annual local fee of \$200.00

Clarification of private functions was discussed then defined as one time functions not open to the general public, such as weddings, catered banquets, birthdays, anniversaries.

Clarification of the boundaries and premises included in the permit were discussed. The boundaries as outlined on plan submitted to and approved by the ABCC were shared with attendees of the hearing. The cider room interior is included on the premises.

General discussion was held with residents attending the hearing reviewing previous meetings and hearings held on this topic.

The Public Hearing was dissolved at 7:20.

Business of the Special Town Meeting and reconvene of Annual Town Meeting were held.

The Selectboard continued their meeting at 8:45. Present were Phil Dowling, Jim Huston, and Art Pichette. Also present were David Blakesley, Steve Holt, Ginny Curtis, and Mary Powers. Cheryl Provost took the minutes.

Warrants were signed for: Payroll: \$24,681.88 & (school) \$82,387.66
Vendor: \$181,429.54

Amended minutes of May 1 were approved (Outlook Farm pouring permit subject).
Minutes of June 12 were approved.

- Reorganized the board with Jim Huston as Chair.
- Highway Superintendent, David Blakesley, reported:
 - working on tree trimming
 - vacation time is being used by the department
 - working on mowing
 - started placement of calcium on gravel roads today
 - crew attended continuing ed. for hoisting license and wood chipper safety
 - submitted a Chapter 90 project request.

On a motion, the board voted 3-0 to approve a Chapter 90 Project Request in the amount of \$73,952.50 to chip seal sections of Northwest Road, Southampton Road, Burt Road, Mine Road, and Tob Road.
- David recommended interviewing Alexander Antosz and Jeffrey Dion for the highway crew position; both from Westhampton. The board approved the recommendations and voted to conduct interviews on July 10, contingent on applicant availability.
- Special Town Election:

Voted to schedule the Special Town Election for a debt exclusion for a new highway truck for Saturday, August 19, 2017. Polling hours will be 8 a.m. to noon.
- Ambulance Service Provider Agreement:

The current ambulance service agreement expires June 30. The contract before the Board is a three year agreement with Pioneer Valley effective through June 30, 2020. This contract augments our ambulance license and provides documentation that if we cannot staff our ambulance between 1600 hours and midnight then Pioneer will provide coverage. There is no cost for this contract. All the other terms are the same as the previous contract. Westhampton is primary provider from 1600 hours to midnight. Pioneer Valley is primary provider the other hours. A 60 day notification required for any changes or cancellation by either party.

On a motion, voted 3-0 to enter into the Service Provider Agreement between the Town of Westhampton and Pioneer Valley EMS.
- Volunteer Firemen's Insurance Services contract:

On a motion, voted 3-0 to accept a one year accident & sickness insurance policy renewal for volunteer firefighters and part time police with Volunteer Firemen's Insurance Services at the rate of \$14,277.00.
- 109 Northwest Road construction:

There is a dispute between the Building Inspector and Zoning Board of Appeals over the building permit issued for the property at 109 Northwest Road. Town Counsel is reviewing the information to determine if construction is allowed at the location.
- Campground updates:

Art is meeting with the Building Inspector, Electrical Inspector, and Plumbing Inspector at 7:00 p.m. on Wednesday, June 28 at the Annex to review the sketch of the campground sites and structures. A final copy will be made from the Assessors map and filed with the records of the

campground.

- 0 Main Road junkyard:
Ken Sacharczyk was not contacted to meet with the Selectboard. Art reported he visited the location and it appears there has been some cars moved and some debris removed. The notice to comply with a clean-up schedule will be sent to Mr. Sacharczyk and he will be contacted to discuss it with the board at their next meeting. The Zoning Enforcement Officer amended the order to cease and desist by including the book and page number. Town Counsel recommended not filing the order with the Registry of Deeds. The Board will review the information just received and discuss it at the next meeting.
- Unregistered vehicle violations:
-the exemption request for the unregistered vehicles at 67 Main Road was reviewed. The vehicles do not fall under any categories under Chapter 90 or the Code of Massachusetts Regulations. The bylaw does not apply to vehicles which are used on a seasonal basis for business or recreational use. The Board has the authority to issue a permit to keep more than one unregistered vehicle on any premises if found to be in harmony with the intent of the bylaw, will not adversely affect the neighborhood, and not a nuisance.
On a motion, voted to exempt the two unregistered vehicles used as race cars, located at 67 Main Road.
-Violation and fine notices are being sent to 48 North Road.
- Catherine Hondorp, shed at 263 Main Road:
Jim reported he met with Zoning Enforcement Officer Chuck Miller regarding the extension of compliance notice for Ms. Hondorp to move the shed. Chuck was firm that he extended the order 30 days and anything beyond that will be fined. Art reported he visited 263 Main Road to view the location of the shed. It is approximately 12 X 14 feet, on blocks, and located 10 feet from the abutter at 269 Main Road; set back is 20 feet. He spoke to the abutter and stated that she agreed to allow an extension of time. She then continued to describe to Art some of the ongoing disputes between her and Ms. Hondorp. One concern is the business that is run at 263 Main Road as a temple of prayer and retreat and whether or not the business conducted is an allowed use of the Zoning Bylaws. More research into the licensing and business will be done. Art also spoke to Chuck after meeting with the abutter, reporting to him that August 14 was an acceptable extension with her. Discussion ensued regarding the shed then the board voted to notify Chuck that they take no action on the order but they're not opposed to him granting an extension of time based on their information from the abutter and that Ms. Hondorp is away.
- Correspondence:
-Commonwealth of Massachusetts, Hampshire County Superior Court Docket 1580CV00112 Cotton Tree Service, Inc. and Dodge Maple Farm, LLC v. Planning Board of the Town of Westhampton and Town Clerk of the Town of Westhampton:
Judgement on Agreement of the parties entered by the court pursuant to agreement for entry of judgment; special permit decision. On April 3 the Court issued the Special Permit to the applicant as an order of the Court with all conditions stated in the agreement of the parties. The decision will be filed with the Town Clerk and notices of said filing sent to abutters and parties in interest. Aggrieved parties may appeal the decision pursuant to G.L. c.40A, sec. 17, and shall be filed within twenty days after the date of filing of such notice in the office of the town clerk.

-earned \$5,056.00 in participation credits from Mass. Interlocal Insurance Assoc.; to be applied to the FY18 invoice.

-Barbara Pellisier requested approval for the Friends of the Library to hold a food sale & t-shirt table at town meeting; approved

-Mary Powers: a request from the Zoning Board of Appeals to the Zoning Enforcement Officer to rescind the building permit issued for 109 Northwest Road until a hearing is held. There is a dispute as to whether the building permit was issued for a pre-existing non-conforming use or non-conforming use; the latter requiring a site approval from the Zoning Board of Appeals. The permit was not rescinded and construction continues. Jim will look into it.

-the Mass Bay Constables Assoc. Inc. is seeking support to defeat the Mass House Bill 2252; eliminating the position of Constable; voted to send a letter of support.

-Mass Dept. of Telecommunications & Cable will hold a Public Hearing at 10:00 a.m. on June 21, 2017 to investigate proposed basic service tier programming, equipment, and installation rates of Comcast Cable Communications, LLC.

-Mass Dept. of Agricultural Resources submitted brochures and links for their programs. Links will be posted to the town website.

- Administrative Assistant updates:

- will email report for June 13 through June 26 and the schedule for June 27 through July 10.

- attended the Annual Mass. Commission Against Discrimination training, Avoiding Harassment in the Workplace, in Boston Tuesday, June 13 through Wednesday, June 14 and received certificate.

- The next Selectboard meeting will be 6:30 p.m. July 10 and 7:00 p.m. on July 24.

- Documents signed:

- Service Provider Agreement between the Town of Westhampton and Pioneer Valley EMS

- insurance policy renewal for volunteer firefighters and part time police with Volunteer Firemen's Insurance Services

- Chapter 90 Project Request in the amount of \$73,952.50 to chip seal sections of Northwest Road, Southampton Road, Burt Road, Mine Road, and Tob Road

Adjourned meeting at 9:45 p.m.

Approve:


James Huston, Chair


Philip Dowling


Arthur Pichette