



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

Minutes of December 23, 2019

The meeting convened at 6:00 p.m.

Present from Selectboard were Phil Dowling, Maureen Dempsey, and Teri Anderson. Others present were Bill Jablonski, Patty Cotton (Treasurer), Peter Cleary, Dave White (Chief of Police), with David Blakesley and Steve Holt joining later. Minutes were taken by Cheryl Provost.

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

Payroll: \$83,186.31

Vendor: \$134,250.67

Minutes of November 25, 2019 were approved December 6 but not signed, some minor corrections were reviewed and the minutes as corrected were approved by vote of 3-yay, 0-nay. Minutes of December 5 were reviewed and approved by vote of 3-yay, 0-nay. Minutes of December 9 were reviewed and approved by vote of 3-yay, 0-nay

- Peter Cleary was acknowledged and was asked if he has any business to discuss. He inquired of the Outlook Farm Farmer Series Pouring Permit and if any of the conditions were changing. In response he was told a hearing would take place if there were any proposed changes to the license and the board has not discussed it and the applicant had not requested any changes so there is no intention for change.
- Questions for the interview of Highway Superintendent were reviewed by number. Teri recommended two more questions which were reviewed and added without objection from Phil and Maureen.
- Class License application was reviewed. Phil motioned to approve the Class II License #2020-5 and business license to Jim and Dan Meehan for J & D Sales & Repairs for sales and repairs located at 19 Perry Hill Road. Second by Maureen. So voted 2-yay, 1-abstain (Teri).

Teri made recommendation to start a process to review Class License applications earlier in the year and consider a site visit to verify terms of the special permits are being followed and to do so by reviewing the original permit as issued by the Planning Board or Zoning Board of Appeals. So noted and agreed.

- Dave White was acknowledged and was asked if he has any business to discuss. He replied that he was present to support Bill Jablonski as the applicant for the position of Westhampton Highway Superintendent. So noted.

- The interview for the Westhampton Highway Superintendent began at 6:15 with Bill Jablonski. Members of the Selectboard took turns asking predetermined questions. B Jablonski is the current foreman for the department. He described his experience in the workforce and running heavy equipment. At the conclusion of the questions the board moved to other business.
- Patty Cotton came for an update on how to proceed with the inhabitants at 225 Northwest Road. The Title attorney is waiting on a reply from her on how to proceed. Phil explained that there is an executive session posted later in the agenda for this matter and asked if she wanted to add anything. Patty explained that she doesn't know what they (inhabitants) don't know; letters sent to them by mail are returned undelivered. They sent another payment, Patty returned it to them. Patty answered questions of the process of tax takings, tax titles and foreclosures. She explained there's another piece of property that's marked for foreclosure which also has inhabitants. No tax payments have been made since 2015. Phil asked that she discuss it with the Selectboard before it goes forward. Patty asked what to do with the Northwest Road property. The Selectboard is waiting for a reply from KPLaw on the matter to understand what the options are.
- Highway Dept. updates, Superintendent David Blakesley reported:
 - winter weather was here, equipment is running well and the new crew member did well
 - having some difficulties getting salt delivered. There are two suppliers through the Franklin Regional Council of Governments, Morton is the first choice. David reported it to Ellen (formerly from Hampshire Council of Governments purchasing and now with Franklin Regional Council of Governments). She said three other towns have similar complaints and she's looking into it. David verified he's getting the salt before he runs out but Morton is cutting the deliveries close. He further described the shipping issue.
 - started annual service on all the vehicles, the fire chief asked the highway department to resume working on fire vehicles (they will still have EVC mechanic for fire components).
 - working on 75% Right Of Way plans for MassDOT King's Highway Bridge Project. Was given the go ahead from Karen Axtell (MassDOT) to secure access. Should be done in the next week or so. Getting ready to go out to bid in June. The project will probably take one season (spring to fall).
 - the Property and Energy Assessment Committee made a determination that a top priority is the town hall roof. Barbara is contacting roofers to give an estimate for budget numbers. Dave thinks some of the ice backing up is caused by heat loss and if that's addressed in this project perhaps funds may be available from the Green Communities program. Teri asked if we can get a Smart Audit and David replied yes, Bob Haines from Eversource is doing an energy audit in January and Mark Rabinsky, Regional Coordinator from Green Communities is attending the committee meeting January 9.
- Cheryl reported the transaction for the surplus 2008 Ford Crown Victoria Police Cruiser is complete.
- Adoption of public meeting and hearing rules and form of agenda will be considered at a future meeting.
- Pay scales of other town highway superintendents was reviewed. Varying factors are number of crew members, miles of roads, administrative duties, and overtime. Based on those figures \$60,000.00 was considered as a starting salary. The current Westhampton Highway Superintendent salary is \$68,098.00, no overtime. Bill Jablonski earns over \$61,000.00 with overtime as foreman for the department and is not interested in the position for a cut in pay.

Discussion ensued regarding the responsibilities of the Superintendent including reporting to the Selectboard at their meetings, being the town Representative of the Hilltown Resource Management Coop. and attending their meetings. Phil noted it has been seen that people holding town positions are underpaid and when they leave then the salary sees an increase. Discussion led to potential offers to Bill Jablonski. It was clarified that the position had not yet been offered to him and that it was a separate issue.

Phil motioned to offer Bill Jablonski the position of Westhampton Highway Superintendent. Second by Teri. So voted 3-yay, 0-nay.

Discussion moved to salary offer. Phil thinks \$68,098.00 is a fair wage for the work that is required. He opined that Bill Jablonski has a strong work ethic and will be required to do all the same work as the current Superintendent.

Phil motioned to offer Bill Jablonski a salary at the current rate of \$68,098.00 effective February 14, 2020 through June 30, 2020. Second by Maureen. Teri would like to offer a starting salary of \$66,000 with room to grow. Phil called the vote and motion was approved 2-yay, 1-abstain (Teri).

- Outlook Farm Farmer Series Pouring Permit application was reviewed. The local fee of \$200.00 has been received. Phil motioned to approve Outlook Farm Farmer Series Pouring Permit. Second by Maureen. Teri motioned to amend motion to include with same conditions as set with initial application. On a second the amendment was approved. Main motion was called to vote. With 3-yay, 0-nay, voted to approve Outlook Farm Farmer Series Pouring Permit with same conditions as set with initial application.
- Public Safety Complex Building Committee, Phil reported:
 - the committee met and need to review the plans again.
 - the committee approved the invoice from D.A. Sullivan.
 - DiGiorgio Assocs. accepted the revisions to the contract from Town Counsel. They didn't like the requirement for an audit. Phil explained DCAM requires contractors conduct a review but they're not required to conduct an audit. He believes that requirement is satisfactory and removed it from the contract so it would be completed. Teri's changes were also added to it. The contract was signed by DiDiorgio and received today.
- Passed over executive session with nothing to add from town counsel to discussion of 225 Northwest Road. Discussion ensued regarding establishing an internal policy for tax title foreclosures. There were questions of authority over the tax title accounts. Cheryl reported that in Westhampton, and generally, the Treasurer is the custodian of Tax Title Accounts and has the authorization under Mass. General Laws to foreclose on unpaid accounts. The purpose is to have property returned to the tax base and generate revenue. By foreclosing on the property the Treasurer fulfilled her duties. The message is that individuals cannot continue non-payment of their taxes without consequences. Often times, individuals who are delinquent on taxes and receive notice of a tax taking will either pay off their taxes or get on a payment plan, no one wants the responsibility of evicting anyone and the homeowner is given ample time to pay off outstanding taxes. Laws provide the town a method to secure the property and return it to the tax roll when in default and it sends the wrong message if unpaid taxes are not pursued. The

comments were duly noted and the board agreed that an internal policy should be developed that will include notification to the Selectboard when property is considered for foreclosure.

- Phil reported that he and Cheryl pulled the executive session minutes and are ready to start going through them and noting redactions on the minutes that contain multiple subjects or is protected under attorney/client privilege.
- Steve Holt inquired about his business license. The Selectboard reviewed the permit and Phil motioned to approve a business license to Steve Holt, 34 North Road for Sales & Retail for the year 2020. Second by Maureen. So voted 3-yay, 0-nay.
- Steve Holt provided Emergency Management Director updates. He attended a seminar held by Mass. Emergency Operations Center
If fire, police, EMS cannot handle something the Emergency Management Director will determine when to seek mutual aid and can activate assistance from Mass. Emergency Management. Going to a class January 8 for debris management, mostly about trees. The cost is being paid from the fire dept. expenses account. He's using the utility vehicle rather than charging mileage.
- Teri reported that in a meeting with Representative Lindsay Sabadosa she learned that the CDC will not be funding some of the Council On Aging Programs because the median household is up past the threshold to receive funding. There is a way to apply for specific items for individuals who qualify.
- Correspondence was holiday greetings from various sources.
- Administrative Assistant updates, Cheryl Provost reported:
 - Jonathon Gould of the regional office of Senator Hinds held public office hours at the Westhampton Town Hall from 11 a.m. – 1:00 p.m. on December 18. There were no visitors. Cheryl discussed with him the special legislation that ratified town votes, safety complex, shared school resource officer, and regional shared services.
 - the document consultant came December 10 and began scanning some documents. Additional dates were scheduled.
 - the contract between the Town and Miller's Petroleum Systems, Inc. in the amount of \$34,850.00 has been signed by Miller's and returned to the town for signing. Form of contract was approved December 9 and only needs Selectboard signature.
- Next meeting: 7:00 p.m. January 6, 2020
- Documents submitted:
 - Expense Report through December 12, 2019
 - contract between Town of Westhampton and DiDiorgio
- Documents signed:
 - Contract between the Town and Miller's Petroleum Systems, Inc., 875 Crane Ave. Pittsfield, MA 01201 to install two fuel storage tanks in the amount of \$34,850.00.
 - Class II License #2020-5 and business license to Jim & Dan Meehan for J & D Sales and Repairs located at 19 Perry Hill Road
 - business license to Steve Holt, 34 North Road for Sales & Retail for 2020

Meeting adjourned at 8:22 p.m.

Approve:

Philip Dowling, Chair

Maureen Dempsey

Teri Anderson