



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

Minutes of September 28, 2020  
Meeting held via ZOOM

The meeting convened at 7:00 p.m.

Present from Selectboard were Phil Dowling (Chair), Maureen Dempsey, and Teri Anderson. Others present were Bill Jablonski (Highway Superintendent), Wally Marek (Local Inspector), Susan Bronstein, and Dale Kasal. Minutes were taken by Cheryl Provost.

- COVID-19 actions:  
Susan Bronstein reported the first round reporting deadline was 4:00 p.m. September 25. She submitted for Westhampton at 5:30 p.m. on Thursday (September 24). She received a confirmation response that it was submitted. Susan registered for a Mass. Municipal Assoc. online training on October 1 for round 2. Total submitted for money spent through June 30 was \$11,053.00. Susan has \$47,000.00 recorded so far as being spent as of July 1, mostly from the elementary school. The school portion represents 25% of their total expenses since July 1, the portion they did not submit for FEMA reimbursement through the regional school. Nothing is submitted yet for round 2, waiting for instructions. Discussion was held regarding the Round 1 submittal and if it was CARES or FEMA funding. Some clarity will come from the training seminar. Susan requested that she be included when funds are received and being requested. Susan acknowledged she received assistance with the submittal from Eric Weiss, Pioneer Valley Planning Commission. Teri asked if requests from the regional school comes only from Westhampton. Susan answered they are shared by all district towns.
- Phil recognized Dale Kasal. Sent a link to proposal for use of the town hall for pickle ball. She met with Board of Health and was told they would advise Selectboard of recommendations for public health. Items highlighted in yellow are modified after meeting with the Board of Health. Seeking an opportunity to discuss. Phil explained the Selectboard will review it and return for discussion next meeting.
- Halloween, Cheryl reported the Board of Health is waiting for state guidelines before considering recommendations.
- Highway Department updates, Bill Jablonski reported:
  - last couple weeks working on Westhampton Elementary School parking lot, paved it last Thursday
  - Fire vehicles passed inspection, had to do some work on a couple trucks first
  - Working on parking lot project loam and seeding, starting pavilion tomorrow

-roadside mowing

Phil reported he has pictures of elementary school lot project.

- **Building Commissioner:**  
An employee agreement with the building commissioner was reviewed and revised. The revised version will be reviewed at a future meeting.
- **Town Property and Energy Assessment Committee.** Phil reported we received an estimate for highway garage lighting updates from Earthlight. It requires 100 percent less town funds than other estimates. He forwarded the proposal to the committee for review.
- **Green Communities,** Phil reported he's been doing the entries for the MEI annual reporting. Still need to get the information submitted for the heating oil for elementary school and gas diesel breakdowns. He has the information needed for submittal.
- **Pollinator Committee,** Maureen reported at their last meeting the committee voted to not present anything at the next special town meeting. The committee will take the winter to look at what they really want to accomplish with the resolution for the Town of Westhampton and present something at Annual Town Meeting.
- **Special employees.** Phil reported he reviewed the town's list of Special Employees. The status allows town employees to work another job outside of their official capacity. Where towns have a population under 10,000 the Selectboard is automatically designated. Phil suggested the list be expanded and made recommendation to designate the local inspectors as special employees. Teri asked for clarification on the status for unpaid committee members. He replied the designation applies to paid and unpaid officials and employees. Phil explained that requirements under procurement procedures were followed to secure the contract for the elementary school pavilion. Todd Alexander was the lowest quote and awarded the contract. He filed a disclosure of interest to comply with conflict of interest laws. Phil spoke of the importance that officials and employees complete the ethics training every two years as required by state law. He then made recommendation to add the Town Property & Energy Assessment Committee as Special Employees. Phil motioned to designate the positions of Town Building Commissioner and Local Inspector of Buildings, and members of the Town Property and Energy Committee as Special Municipal Employees. Second by Maureen. So moved by vote 3-yeas, 0-nay.
- **Anti-racism resolution action:**  
Cheryl reported nothing new has been received. Teri suggested it be put out for public comment, she will draft a notice to the public.
- **Municipal Vulnerability Grant (MVP),** Phil reported the town received the grant. He reached out to Pioneer Valley Planning Commission to see what they can do to assist. The town is already working with Weston & Sampson. The discussion with Pioneer Valley Planning Commission revealed they have worked with other organizations on MVP grant applications. He then reached out to Amanda Kohn from Weston & Sampson and proposed they work with Pioneer Valley Planning Commission. They are both interested in working together. Phil will send Teri and

Maureen a draft contract to be considered for the next meeting.

- Correspondence:
  - Phil reported an email from John Zimmerman was received and responded to regarding roadside mowing on North Road.
  - Phil reported an email from Kurt Heidinger was received and responded to requesting the amount spent on the case of Cotton Tree Service Inc. v. Planning Board of Westhampton. The amount from initial appeal of the denial of the Planning Board filed by Cotton Tree Service through 2017 when the permit was issued by the court is \$55,921.00. This does not include the appeal of that decision as filed by Timothy Fondakowski.
  - Phil reported an email from Heather Paul was received with a proposal for revised Halloween activities. Cheryl reported that she discussed Halloween activities with Dave White, Chief of Police. He has concerns that with many of the towns cancelling or modifying their activities it could cause an increase of children from surrounding towns to come to Westhampton. Phil agreed it would be good to have some form of activity and noted we the state guidelines must be looked at very closely. We're pretty clear on what the issues are related to transfer of the virus. Teri replied she read the proposal and thought it was reasonable. Chris Hamel, Burt Road, was recognized and reported she has been helping with organization of Halloween activities the past 6-7 years. They propose to set up tables in front of the Town Hall with pre-packaged candy and handing it out to cars in drive through manner. Phil agreed with drive through. Maureen agreed it's reasonable. Teri asked if there's a way to restrict it to town residents. C Hamel replied that historically a small number of children come from other towns but the numbers are relatively low. Phil emphasized the importance of communications with the Board of Health and working with highway & police department for traffic control. Phil motioned to authorize Halloween activities pending Board of Health approval and communication with Police Department. Second by Teri. So moved by vote 3-years, 0-nays.
- State is expecting to have budget updates by the end of October.
- Phil reported he received an email from Ginny Curtis regarding the Planning Board Associate position asking to have her interest withdrawn. So noted. The Planning Board Associate position is not filled. The Zoning Board of Appeals has three Associate vacancies, and one full member vacancy. Teri recommended an email go out to announce the Selectboard is seeking to fill the positions. So noted.

Warrants were reviewed and approved by vote 3-yay, 0-nay for:

Payrolls: \$80,735.30

Vendor: \$103,002.11

State Election, November 3, 2020

- Next meeting: 6:30 p.m., October 13, 2020.
- The Selectboard voted by roll call, 3-yay, 0-nay, to enter into Executive Session at 8:25 p.m., pursuant to G.L. c. 30A, section 21(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 Cotton Tree Service, Inc., et al. v. Planning Board of the Town of Westhampton, et al., Hampshire Superior Court, C.A. No. 1580 CV 00112. Open session will not resume following Adjourned

Executive Session.

Meeting adjourned at 8:25 p.m.

Approved by vote of the Selectboard at virtual meeting held October 26, 2020

Phil Dowling  
Maureen Dempsey  
Teri Anderson