



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

Minutes of June 7, 2021  
Meeting held via ZOOM

The meeting convened at 6:30 p.m.

Present from Selectboard were Maureen Dempsey and Teri Anderson. Others present were Jeffrey Morse and Bradford Morse (Outlook Farm), Thomas Cleary, I, Mary Cleary, Peter Cleary, Carter Cleary, Tom Martin and Robby Armenti (Board of Health), Susan Bronstein (Covid Coordinator), Bill Jablonski (Highway Superintendent), Ginny Curtis. Minutes were taken by Cheryl Provost.

- Teri moved that Maureen Dempsey serve as acting Chair for the meeting. Second by Maureen. So moved by roll call vote:  
Teri-yes  
Maureen-yes
- The public hearing opened at 6:31 for the application from Bradford and Jeffrey Morse for a license to sell farmer series malt and winery beverages for on premise consumption at Outlook Farm, 136 Main Road, Westhampton, MA.

J Morse provided history of license and overview of application. Original license was issued 4 years ago. Request is to renew the license but the deadline for applying was missed so need to apply again.

Hearing opened to public input. M Cleary asked for review of current hours. J Morse and Teri reviewed public and private hours. J Morse explained the hours requested in application. This time requesting to adjust hours of operation to 12pm – 7pm and to operate year-round.

P Cleary asked for clarification that public hours are not requested to be extended until 10:00 p.m. J Morse confirmed.

T Cleary suggested a clear written request from the applicant. Discussion ensued regarding private hours and capacity. J Morse and B Morse described private functions. Also discussed private events which they currently rarely hold but would like to adjust the hours on that as well. Number of people at private events varies between 25-75+. They are not looking to hold events past 9:00 p.m. Abutters expressed no concerns of traffic and noise related to the brewery/winery.

Maureen read two email comments into hearing:

From Kelly Challet, “I feel this is reasonable and should be allowed”.

From Pat Miller, “It was our original understanding that they could only sell what they made. It feels like they have looked for every loophole they could find which makes us much less trusting of things they agree to- Of course we like to see them be successful but not at the expense of the town — Rules should be followed and enforced!”.

Cheryl clarified and reported she replied to P Miller that the license allows products produced by the farm, or produced for the farm under the farm label. J Morse and B Morse reported they produce their own products.

M Cleary asked for clarification that the request for public hours is not past 7:00 p.m., so confirmed.

Further discussed limit to number of private events.

Jeffrey or Brad stated that Outlook only sells their own products that they make.

Teri made recommendation to continue the hearing to June 14 and requested a copy of the current license and a written request from J Morse and B Morse with specifics of what they are requesting. Teri motioned to continue the public hearing at 6:30 p.m. June 14. Second by Maureen. So moved by roll call vote:

Teri-yes

Maureen-yes

Public Hearing adjourned and Selectboard meeting continued at 7:02 p.m.

- Carter Cleary introduced himself and requested approval to proceed with an Eagle Scout project. He proposed to publish a book on the construction of the new public safety complex. He will interview significant town people who have seen different sides of the history of it, such as members of the fire department and finance committee. He will also include photos. He will donate a copy of the book to the Selectboard and conduct a Power Point presentation. Discussed timeline and details of the project. Maureen expressed approval. Teri concurred and asked Carter if he discussed it with the Public Safety Complex Committee. He has not. No one from committee available for comment. Teri suggested holding off decision until receipt of input from committee. Maureen announced the board will reconsider Carter Cleary’s proposal for his Eagle Scout project at next meeting after the Public Safety Complex Committee has a chance to review and respond to it.
- Highway department updates, Superintendent Bill Jablonski reported:
  - finished patching dirt roads
  - most dirt roads have dust control sprayed
  - dug up septic tank at safety complex to get pumped out
  - couple pieces of equipment broke down, fixed those
  - mowing intersections
  - moving around stuff in shop to make room for lighting contractor
- Property & Energy Assessment Committee submitted an email recommendation to accept the quote from James Faulkner dated May 5, 2021 for the replacement of four doors. Will review

quote later in meeting.

- Board of Health, Tom Martin reported:
  - 0 current cases in town and district
  - 77 total cases in 42 households
  - 2 total deaths
  - notice a drop-off in county in mask wearing in general public
  - Dept. of Public Health and Center for Disease Control no longer keeping track of breakthrough infections of virus
  - tracking variants will be spotty
  - Dept. of Public Health determined close contacts now defined as exposure to infected person while indoors; exposure while outdoors is no longer considered close contact
  - Governor rescinded most Covid guidelines and is expected to lift statewide emergency order June 16
  - Board of Health recommends Selectboard:
    - Lift local emergency order at next meeting
    - Open Town Hall and Annex without limit to use by activity or number
    - Require mask in municipal buildings, unless working alone

Discussion ensued regarding recommendations, Tom explained the board's position on them.

-Church requested use of CARES funding to purchase a refrigerator for the food bank operated in the church. The need is growing. In order to continue the work they need a refrigerator and possibly shelving. They also could use a freezer. Talked about food security as we move through the end of Covid. The board is reviewing the regulation of the church kitchen.

Acknowledged the work the church has done on this and its benefit to the town and surrounding communities. Susan Bronstein responded she fully supports the purchase of a freezer and she believes it qualifies for CARES funding. Teri supports the Selectboard authorizing the purchase.

-Tom continued, the Board reported new Mass. General Law Chapter 111, s 31 clarifies the difference in roles of the Board of Health and Agricultural Commission. Tom to give more updates later in meeting.

- Town Property and Energy Assessment Committee, Barbara Cook reported she sent by email the committee's recommendation to accept the quotes from James Faulkner to replace four doors at the Town Hall, being the main hall entrance, side accessible entrance, stage door entrance, and cellar entrance. A second quote adds cost for painting the doors. Barbara explained there will be an additional cost to add lighting over the accessible door. Discussion to continue following Finance Committee.
- Held a brief discussion with Finance Committee. The joint meeting was postponed until June 14.
- Continued discussion with Barbara Cook. She inquired of the reopening and status of use of Town Hall. Pine Island Lake Associations submitted a request to use the hall for their Annual Association Meeting. The Town Hall is not open for non-municipal functions yet. Maureen and Teri agreed to wait until Phil was available to discuss it. Topic postponed to June 14.
- Tom Martin continued.

-The Foothills Health District is seeking to hire a Public Health Nurse, 20 hours weekly. Discussed posting options.

-The state has contracted with UMass for free well testing on an emerging pollutant in Westhampton. Postcards will be mailed to forty-fifty households with information on free testing and PFAS (polyfluoroalkyls). Tom explained the state program.

- Covid Coordinator, Susan Bronstein reported the quarterly report was submitted Friday, June 4. Status report:

Received \$144,675.00

Previously reported \$59,753.00 spent

Received \$2,647.00 in FEMA reimbursements

Reported \$9,089.00 spent this quarter

Have \$78,480.00 remaining available in CARES funds to spend before the end of the year

- Town Property and Energy Assessment Committee, Art Pichette reported the quote from James Faulkner includes the light. He described the supplies included in the quote. Reviewed quotes. Total to replace four doors is \$10,159.00. Total to paint the four doors is additional \$692.00. Teri motioned to accept the quotes as submitted for installation and painting. Second by Maureen. So moved by roll call vote:  
Teri-yes  
Maureen-yes

An appropriation transfer is awaiting approval by the Finance Committee for a portion of funding of the project. Teri moved to amend her motion by adding contingent on approval by Finance Committee of appropriation transfer. Second by Maureen. So moved by roll call vote:

Teri-yes

Maureen-yes

- Reviewed bids, documents, interest rate, and payment schedule of the bond for the construction of the public safety complex.

**Bid results Westhampton (Town), \$4,260,000 General Obligation Public Safety Building Bonds, (Unlimited Tax)**

The following bids were submitted using *PARITY*® and displayed ranked by lowest TIC.

<b>Bidder Name</b>	<b>TIC</b>
Piper Sandler & Co	1.678707
FHN Financial Capital Markets	1.712945
Stifel, Nicolaus & Co., Inc.	1.752416
Fidelity Capital Markets	1.774435
Robert W. Baird & Co., Inc.	1.830287
Roosevelt & Cross, Inc.	1.869711

Cheryl reported that Phil reviewed the documents with Lori Lombard and 100% approves the terms. Maureen Motioned to award the bond for the safety complex with the terms as read into the meeting:

“I, the Clerk of the Selectboard of the Town of Westhampton, Massachusetts (the “Town”), certify that at a meeting of the board held June 7, 2021, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: that the sale of the \$4,120,000 General Obligation Public Safety Building Bonds, Unlimited Tax of the Town dated June 18, 2021 (the “Bonds”), to Piper Sandler & Co. at the price of \$4,314,520.25 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on June 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2022	\$160,000	3.00%	2029	\$195,000	3.00%
2023	165,000	3.00	2031	405,000	2.00
2024	170,000	3.00	2033	425,000	2.00
2025	175,000	3.00	2035	445,000	2.00
2026	180,000	3.00	2037	455,000	2.00
2027	185,000	3.00	2039	475,000	2.00
2028	190,000	3.00	2041	495,000	2.00

Further Voted: that the Bonds maturing on June 15, 2031, June 15, 2033, June 15, 2035, June 15, 2037, June 15, 2039 and June 15, 2041 (each a “Term Bond”) shall be subject to mandatory redemption or mature as follows:

Term Bond due June 15, 2031

<u>Year</u>	<u>Amount</u>
2030	\$200,000
2031*	205,000

\*Final Maturity

Term Bond due June 15, 2033

<u>Year</u>	<u>Amount</u>
2032	\$210,000
2033*	215,000

\*Final Maturity

Term Bond due June 15, 2035

<u>Year</u>	<u>Amount</u>
2034	\$220,000
2035*	225,000

\*Final Maturity

Term Bond due June 15, 2037

<u>Year</u>	<u>Amount</u>
2036	\$225,000
2037*	230,000

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\*Final Maturity

Term Bond due June 15, 2039

<u>Year</u>	<u>Amount</u>
2038	\$235,000
2039*	240,000

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\*Final Maturity

Term Bond due June 15, 2041

<u>Year</u>	<u>Amount</u>
2040	\$245,000
2041*	250,000

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\*Final Maturity

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 28, 2021, and a final Official Statement dated June 7, 2021 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Selectboard be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds, for the benefit of the holders of the Bonds from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Bonds (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Selectboard, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a

copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended, further suspended, supplemented or modified by the Executive Order of the Governor of The Commonwealth of Massachusetts Suspending Certain Provisions of the Open Meeting Law, Chapter 30A, §20 dated March 12, 2020.

Dated: June 7, 2021

Maureen Dempsey  
Clerk of the Selectboard

Second by Teri. Teri motioned to amend the motion to add that the vote be based on Chairman Dowlings review and recommendation. So moved. Motion passed by roll call vote to award the bond for the safety complex with the terms as read into the meeting based on Chairman Dowlings review and recommendation.

Teri-yes

Maureen-yes

- Reviewed the elevator service bid from Franklin Regional Council of Governments. Reviewed the current contract with Associated Elevator, Teri and Maureen are happy with their service. Teri moved not to opt into the elevator service program with Franklin Regional Council of Governments and to continue with the current contract. Second by Maureen. So moved by roll call vote:

Teri-yes

Maureen-yes

- Correspondence was reviewed:
  - Letter from Principle Smidy (attached). Teri thanked all the departments mentioned.
  - Accountant end of year memo

Discussed policy for use of Zoom and conducts of in person and virtual meetings and scheduling conflicts. Discussed holding an all boards meeting.

Warrants were reviewed and approved by roll call vote:

Maureen-yes

Teri-yes

Payroll: \$89,062.54

Vendor: \$52,886.62

Next meeting: 6:30 p.m., June 21, 2021

Adjourned meeting at 9:10 p.m.

Approved by vote of the Selectboard at virtual meeting held July 6, 2021.

Maureen Dempsey  
Teri Anderson