



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

February 27, 2017

The meeting convened at 6:30 p.m.

Present were Phil Dowling, Jim Huston, and Art Pichette. Also present were Cheryl Provost, Dave White, and Steve Holt.

The minutes from February 13 were accepted.

The meeting was moved into the main hall for the Outlook Farm Pour Permit Public Hearing.

The hearing was opened at 6:35 p.m. by Selectboard Chair, Phil Dowling. A mix of approximately 22 town officials and residents were in attendance. Phil announced the hearing was being recorded. The Selectboard members each stated their name and stated no reason to recuse themselves as an abutter or person of interest. Ground rules were explained and the floor was opened to Bradford Morse, the applicant.

Mr. Morse gave an overview of proposed uses of a pouring license as follows:

1.) Open tasting/tap room

-Thursday-Sat, 3-6pm; serving flights, filling growlers, retail our products, serving wine and beer by the glass.

-Location in cider room, out in back yard, and eventually adjacent to winery/brewery building. Mostly seasonal from April-November.

2.) Scheduled Outlook Public events (the traditional Outlook Farm events)

-serving flights of ales, and glasses of wine or ales

-Outlook festivals May-Oct, backyard

-Outlook indoor events in winter

-Music, food served, Sundays noon-4pm

3.) Scheduled Outlook/Winery/Brewery Public events

-Serving flights of ales, and glasses of wine or ales

-Backyard, live music, June-Sept, 1-2 time per month, Saturday evenings, 5-10pm

-Music, food served

4.) Outlook Private events-weddings, reunions, birthdays, anniversaries (presently occurring events, adding the pouring)

-Serving flights of ales, and glasses of wine or ales

-Music, food served

Fridays, Saturdays 1-10pm or Sunday afternoons; 3-6 per year.

The hearing was opened to the floor for questions/comments, speakers were asked to identify themselves.

-Richard Tracy, 1 South Road questioned the difference of pouring with food and what the applicant is seeking.

Mr. Morse responded he is not interested in serving with daily lunch. He is seeking to serve as outlined above; in the taste room and during events. Tastings of wine by the glass and up to four 4 ounce malt beverages is allowed now during regular business hours.

-Mickey Evans, 63 South Road was seeking more information regarding the use of farm products and labeling.

Phil explained that the products sold/poured must be under the Outlook label, as stated in the Act. Brad further explained current product production, ingredients, and packaging. A combination of Outlook Farm and outsourced ingredients, brewing and packaging have been and will continue to be used.

-Pat Miller, 7 Stage Road questioned if the law changed regarding products produced for the farm, as opposed to by the farm; quoting a 2013 law stating they shall be produced by the farm.

A section of the Act signed by the Governor was quoted, "that the wines and malt beverages shall be produced by or for the winery or brewery and sold under the winery or brewery brand name and shall be poured by the glass". Verification of the law will be made prior to the next hearing.

-Angela Valinski, 155 Main Road questioned how this will impact the Police Department and intersection safety.

Chief White stated he doesn't know. Phil added that this will be part of the Selectboard discussion.

-Mary Cleary, 130 Main Road inquired what time limit the Selectboard has to issue the permit. Phil replied the plan is to move in a manner to get this done as expediently as possible.

-Peter Cleary, 130 Main Road inquired what the formal conditions the Selectboard is considering are and how those conditions will be determined.

The board will review among themselves the concerns brought forth from the hearing and correspondence then seek opinion from counsel to develop conditions.

-Tom Cleary, 31 Southampton Road questioned how will expenses be financed and does noise have exemptions under the Right to Farm bylaw.

The licensing fee will be determined by state law and local option. The town bylaws will be reviewed on this matter.

-Stacy Jenkins, 8 Perry Hill Road inquired if there is consideration that this opens opportunity to other farmers opening similar business. Also, if special events can be excluded and require a day permit.

There is a right by any farm to sell their product. Town Meeting approved this process and this is the follow through. Other farms seeking a pour permit would also be subject to the same procedures. Licensing restrictions will be taken under consideration.

-Mickey Evans, 63 South Road questioned how this will affect the dry town status.

It does not affect the status and the town remains dry.

-Ryumon Baldoquin, 263 Main Road inquired what the difference is from samples allowed now and what this permit will allow.

Phil replied the amount served.

Ms. Baldoquin expressed concern of young workers at the farm being around alcohol.

It was explained that anyone pouring must be 21 and properly trained. Mr. Morse reported that they will restrict who pours and it will primarily be himself or Jeffrey Morse (partner). They have one alcohol certified employee qualified to pour now and will expand only if needed. He also added that due to the minimum wage increase and the wine and malt beverages at the farm they will minimize employees under 18.

-Richard Tracy, 1 South Road has concerns of progression after allowing this. Allowing events indoors creates a different environment by enabling individuals to stay and drink and is not agricultural. Indoor serving is not what Outlook Farm has represented and not the character of Westhampton. He would like to keep it agricultural to outdoor events.

-Bonnie Ferrara, 154 Southampton Road noted that children being exposed to drinking is not new and made point of the difference of beer and wine compared to liquor. She added that Outlook offers a controlled environment and are not introducing anything not easily found elsewhere.

The hearing will be rescheduled after the Selectboard has the opportunity to review the hearing and further discuss the licensing with Brad and Jeff Morse. Notice will be posted to the town website and abutters will be sent a notice in the mail.

The hearing adjourned at 7:25 p.m. and the Selectboard reconvened their meeting in the Margaret Parsons Room.

Present were Phil Dowling, Jim Huston, and Art Pichette. Also present were Cheryl Provost, Wayne Parks, and Ginny Curtis.

- Highway Superintendent, David Blakesley was not present, will report at the March 6 meeting.
- Commercial Kennel Licensing:
Ginny Curtis reported that an application for a commercial kennel license is under review by the Zoning Board of Appeals. The Westhampton Zoning Bylaws, section 3.0245 provides provisions, but does not provide a definition of a commercial kennel. However, kennel is defined. The Zoning Bylaw Review Committee is making a recommendation for a definition. Mass. General Law, Chapter 140, section 136A provides applicable definitions. Ms. Curtis expressed concerns of the approval of commercial licenses without a definition. The laws will be reviewed.
- Inspector of Animals:
The appointment of the Inspector of Animals is due to the state. It was just learned that the current Inspector will not be seeking re-appointment, term ends April 14, 2017. She will also not seek re-appointment as Animal Control Officer, term ending June 30, 2017. Wayne Parks expressed an interest in helping with the position. The job descriptions and required training will be put together for an advertisement; Mr. Parks will be notified.

- Cindy Turner will be completing minutes for the Zoning Bylaw Review Committee. On a motion, voted 3-0 to appoint Cindy Turner as an associate member of the Zoning Bylaw Review Committee.

- Brad Morse was allowed to speak regarding the hearing. He notified the Selectboard that he hopes the town doesn't expend a lot of funds on counsel and he will help in any way that he can. He also clarified that the events already exist and hopes they're not affected by this. He noted that he disagrees with concerns of indoor pouring. Phil expressed greater concerns of outdoor pouring.

- Licenses:
 The following licenses were all approved on a motion, carried by votes of 3-0:
 Stillman Brooks for a Repair Shop and Tag Sale at Northwest Road
 James Fortini for food processing (sorbet) at South Road

- Town Clerk, Patty Cotton was allowed to address the board.
 Patty inquired if any consideration had been given to the new law that provides provisions to boards and committees, the authorization to delegate one member the authority to sign warrants. The inquiry came forth due to the previous pay week being a school vacation week and Monday was a holiday. This delayed the mailing of pay checks. The board is taking the provision under consideration.
 Discussion ensued regarding the hazardous conditions the snow on the Town Hall roof created. At the previous Selectboard meeting the icicles and snow were pointed out to the board. The situation was noted and action was taken that week. However, the roofers were not able to respond and clean the roof off before the snow fell off the porch roof and onto the stairway. The snow was also falling off the North side where the accessibility parking/entrance is located. Ultimately, the Town Hall side & accessibility entrances were closed off by the Highway Department. Steps are being taken to prevent snow and ice build-up on the roof. In the future, if entrances may be effected by hazardous conditions they will be promptly blocked until safe. Patty did not receive a response to her email regarding her concerns during the snow falling and requested she receive a response in the future. The board acknowledged her request and will keep in contact.

- Fiscal Year 18 salaries:
 Reviewed salaries and hourly rates for Fiscal year 2018. On a motion, voted 3-0 to propose the following to the Finance Committee:
 -Increase the Building Inspector/Commissioner salary from \$12,390.00 to \$ \$14,0000.00
 -Increase the Board of Health stipends from \$375.00 to \$1200.00
 -Increase police officer wage from \$16.55/hourly to \$17.20/hourly
 -Increase custodian from \$11.32/hourly to \$11.80/hourly
 -Increase the election workers from \$9.29/hourly to \$11.00/hourly
 -Increase Council on Aging Coordinator from \$13.57/hourly to \$15.00/hourly
 -Increase the highway crew and transfer station attendant by \$0.60/hourly, as contracted
 -Add Cemetery Commissioners salary in the amount of \$450.00
 -Increase remaining salaries and rates, excluding library, at 2.5%

Separate discussion was held regarding library rates. On a motion, voted 2-yes, 1 abstention, to recommend a 2.5% increase to all library staff with the exception of the custodian rate to match the town rate.

- Scheduled the Administrative Assistant Annual Review for Monday, March 6.
- The Technical Assistance Agreement from Pioneer Valley Planning Commission requires a signature from Phil when it's available. On a motion, voted 2-yes, 1-abstention to accept the Pioneer Valley Planning Commission Technical Assistance Program and authorize Phil to sign it when available.
- The Selectboard will resume their regular schedule and will meet on March 6th and 20th.
- Blasting updates were emailed from Fire Chief, Chris Norris. Included was the permit issued on July 18, 2016, good through July 30, 2016 and seismograph readings. No violations were found. Chief Norris had met with the Rancourts, completed a walk-through of their house, and provided forms and information to file a claim. Discussion ensued regarding the blasting reports and regulations. The Selectboard determined there was nothing more they could do at this time for the Rancourts.
- Campground discussion:
Ginny Curtis reviewed campground discussion in the Selectboard minutes of January 9, 2017. She has concerns of the suggestion of using a bell on the fire truck, rather than the air horn. The Selectboard noted that they reminded the Kelseys of the order to cease and desist the use of the air horn. Ms. Curtis also reported that the campground website posts quiet hours at 1:00 p.m. The town bylaw is 10:00 p.m. to 8:00 a.m. The Selectboard agreed to follow up on it with the Kelseys and remind them of the bylaw.
- Zip Code:
Ginny Curtis continues her work on pursuing a separate zip code for Westhampton. She will visit Representative Kocot during his Westhampton hours. She is also interested in placing a non-binding question on the town election ballot in June.
- Correspondence reviewed:
 - Hampshire Regional School District preliminary FY18 budget is available for review and will be presented to the Finance Committee on March 7.
 - Hampshire council of Governments quarterly purchasing report.
 - Harmon Law Offices notice of conveyance of 0 Loudville Road to Federal National Mortgage Assoc.
 - FY17 Expense Report.
 - Final FY15 audit report.
- Administrative Assistant, Cheryl Provost, reported:
 - submitted schedule for February 28 through March 20.
 - submitted report for February 14 through 27.

- Attended the Annual Mass. Commission Against Discrimination training, Train the Trainer Course, in Boston Tuesday, February14 through Thursday, February 16; received a certificate of completion.
- Attending the Annual Mass. Commission Against Discrimination training, Preventing Harassment in the Workplace, in Boston Tuesday, March 14 & 15.
- The RFP is posted to the website and published in the Gazette Monday, February 27. It will be published in the Central Register on Wednesday, March 1.

Adjourned meeting at 9:20p.m.

Approve: _____
Philip Dowling, Chair

James Huston

Arthur Pichette