

**Board of Selectmen
Minutes
November 30, 2010
Center School Office
7:00 p.m.**

Select Board Chair Paul Newlin called the regular meeting of the Board of Selectmen of the Town of Whately to order on Tuesday, November 30, 2010 at 7:00 p.m. Also present were Selectmen Joyce Palmer Fortune, Jonathan Edwards, Town Administrator/Town Clerk Lynn Sibley and Municipal Secretary Maryellen Cranston. Minutes from the November 16th meeting were accepted as written.

Town Administrator Update – CPA Application – Lynn discussed with the Board the possibility of applying for CPA funds to update and create an architectural design for a new town hall. Lynn spoke with architect, Chip Greenberg to get an estimate for how much plans would cost. He said to create plans from start to the finish of construction would be approximately \$130,000 which is based on an estimated \$1.5 million to construct the building. Lynn estimated that it would cost approximately \$85,000 to create plans up to the bid documents. Having the plans would allow her to apply for Community Development Block Grants to help pay for the handicapped access portion of the design. The Board discussed the merits of renovating town hall or building a new one. The Board felt that the town was split fifty-fifty on this question. The advantages of having everyone under one roof are having one building with improved handicapped accessibility and the consolidation of town offices. If nothing is done, the Town runs the risk of having the lack of handicapped accessibility become an issue. Additionally, Town Hall will continue to deteriorate due to lack of maintenance. The Board felt that it was important to start a dialogue regarding the future of Town Hall. The Board also felt they had an obligation to minimize the liability to the Town for a potential handicapped accessibility lawsuit. They agreed that Lynn should submit an application to the CPA for \$85,000. **Tax Rate** - Lynn reported that the DOR has still not given pre-certification to Whately's property values. If the tax bills are not mailed by December 31, then taxpayers do not have to make any payments until May 1. Lynn said that she had contacted Rep. Kulik's office for assistance.

Economic Development Committee Update – Whately's representative on the CEDS (Comprehensive Economic Development Strategy) Committee, Harold Swift gave the Board an update on their work. The committee meets 4 times a year to coordinate equal economic opportunities for the county. Harold also talked with the Board about the Brownfields Program. This program provides funds to help with the clean-up of a property in order to make it marketable. A Whately property was identified as a potential candidate for this program. The owner never gave permission to proceed to the next phase.

Highway – Keith Bardwell reported there is no update on the **Haydenville Road bridge**. There has also been no response from Williamsburg on the **Haydenville Road/Mountain Street** proposals. Keith's goal would be to try and get a Notice of Intent approved over the winter for the area of Haydenville Road from the Ross' east. Keith has heard nothing from the City of Northampton regarding their opinion on closing the **Williamsburg Road** bridge. Keith also discussed with the Board whether or not to plow the road. Keith indicated that he did not feel the need to plow the road. He is not aware of any landowners needing access during the winter. He would like to concentrate his resources on plowing other roads. The Board agreed to not plow the road unless something else happens to cause them to change their minds. Lynn will inform the town of Williamsburg of their decision. Keith informed the Board that the state auction was not a viable option to replace the **highway van**. Keith may try to find a good, used plumber or electrician van at a good deal. The Board asked Keith the parameters for **trimming trees**. Keith said that if a tree poses a hazard for vehicles, then it will be trimmed. The driveway regulations state that there will be no shrubs or trees at the end of a driveway which avoids creating hazardous blind spots.

Town Clerk – Dog Licenses – Lynn reported that there is one delinquent dog owner. The court date is December 29. **Zoning Bylaws** – The zoning bylaws have been approved by the attorney general’s office and duly posted.

Old Business – Fire Station Roof – RCI Roofing is not happy with the Board’s proposed penalty of 1% per day. They were delayed in starting the job due to the delay in funding. They have all the materials except the gutters. They anticipate that they will have most of the roof finished by December 20. They may need to do minor detail work from December 20 thru December 31. After discussion, the Board agreed to keep the 1% per day penalty if the work is not completed by December 31.

New Business – Liquor License violation – Circle K in Whately violated state liquor laws when an employee served alcohol to a minor on November 12 as part of a sting operation. Paul signed a letter from the Town warning Circle K that future offenses will result in a suspension of their liquor license.

FCSWMD Minutes – The Board agreed they would like minutes to be sent electronically whenever possible.

FCAT Capital Improvements – Joyce discussed with the Board a request for PEG Access funds to help cover the cost of improvements to the FCAT server which would allow for improved broadcasting capabilities.

Liability Issues – Lynn reported a recent court case now holds towns liable for the clean up of ice and snow on town property. The Board discussed the option of closing town buildings for the day. They felt that the Town would still be liable if someone slipped and fell. Part of Bill Smith’s duties as Water Superintendent is to plow the town offices. He is aware of the issue. Lynn felt that the Town’s would not be liable if someone had an accident on the roads as long as the Town was making a good faith effort to clear them.

FRCOG Inspection online permitting – Lynn reported that the FRCOG is in the process of installing online inspection permitting software which should be operational by July 1. Residents and contractors will be able to file for permits online. The towns will be able to access the system for reports.

Resignation – Terry Reynolds resigned from the Conservation Commission. Montserrat Archbald was appointed to replace him.

MATRIS agreement – Lynn reported to the Board on the new state required ambulance reporting system. All ambulance run sheets will need to be entered into this system. Whately averages about 10 calls per month. Lynn estimated that processing the paperwork will take about 3 to 4 hours per month. Paul signed the agreement, which allows both Lynn and Maryellen access to the state system.

WMRLS building usage – Lynn reported that the Western Mass Regional Library would like to rent part of their building in the industrial park. The Board agreed that if they rent space to a for-profit enterprise, then they no longer qualify for tax-exempt status. Lynn will meet with a WMRL representative after they meet with a realtor.

Appointments – John Devine was appointed to the Community Preservation Committee. The Board is looking for volunteers to serve on a Green Communities Committee. The Town needs to have a committee as part of the process to receive a “Green Community” designation from the State. Jonathan agreed to serve on the committee.

There is no need for an executive session at this time.

Public Comment – Joyce said that November 30 was the deadline for submitting articles for “The Scoop”. The Frontier School District will be performing “Much Ado About Nothing” on December 10 and 11.

The Board finished the meeting by signing all business related licenses for 2011.

Respectfully submitted,

Jonathan Edwards, Clerk

Documents Used at Meeting and are on file in Selectmen's Office

Payroll and vendor warrants for warrant #11.

Circle K liquor license violation letter

FCSWMD minutes and audit

MATRIS agreement

Business licenses