

**Board of Selectmen
Minutes
October 25, 2011
Center School Office
7:00 p.m.**

Select Board Chair Joyce Palmer Fortune called the regular meeting of the Board of Selectmen of the Town of Whately to order on Tuesday, October 25, 2011 at 7:00 p.m. Also present were Selectmen Jonathan Edwards, Town Administrator/Town Clerk Lynn Sibley and Municipal Secretary Maryellen Cranston. Minutes from the October 11 meeting were approved with edits by the Board. Payroll and vendor warrants were signed.

Town Administrator Update – CPC/Agricultural Comm. Update – The Board requested that Lynn inform the CPC committee that more detail is needed in their minutes. Topics discussed are listed in the CPC minutes, but not a summary of the discussion. The current CPC minutes indicate that the committee increased the APR cap that the AG Commission recommended from 5% with a \$15,000 cap to 10% with a \$50,000 cap. The increased dollar amount would be per farmer not APR parcel. The Board was concerned that the Town is creating the perception of the expectation of \$50,000. The Board also wanted to see more discussion regarding the process of applying for CPA money, which they considered as important as the dollar amounts. Lynn will relay the Board's comments to the CPA committee. **Wellhead meeting with DEP** — Lynn reported that Paul Fleuriel, Jeff Folts and Mike Schaeffer (the latter 2 from Huntley Associates) attended a meeting to discuss the wellhead with upper echelon personnel from the Department of Environmental Protection. The DEP does not look favorably on the proposal from Huntley Associates. They also did not look favorably on work being done in the river for an extended period of time. They were more in favor of using sheet piling. Lynn and Paul had discussed the issue with Representative Kulik when they met with him on Monday. Rep. Kulik will make some phone calls and work on getting the definition of "emergency" redefined. The Board suggested inviting Rep Kulik and a representative from DEP with authority to make decisions to a meeting. **Master Plan Update -** Lynn reviewed the initial results of the Master Plan survey with the Board. The majority of the respondents wanted to preserve open space. There was also support to do something to improve town hall. Lynn discussed with the Board the need to update the town hall feasibility study that was done ten years ago to account for the growth of departments. **FC Selectmen's Association** – Jonathan said that he could attend the next meeting.

Town Clerk – 2 owners brought to court – Lynn has refiled the initial complaints with the court to include written narratives. **Discussion of HB 1972 which would combine Presidential Primary and State Primary** – Lynn will forward the wording of the bill to the Board. Lynn said that she discussed this issue with Rep. Kulik. He indicated that there would not be a lot of support in the legislature for moving the Primary to June, but there could be support to moving it up in September.

Highway Department – Haydenville Road Bridge Update – punch list – Lynn reported that Keith met with the engineers to review the punch list. The road remains open. **Haydenville Road/Mountain Street Status** – There is nothing new to report. **Haydenville Road – Drainage** – Work continues on this project. **Status of Dump Truck** – The truck has been ordered. Delivery is estimated for December. **Stop Sign/Street Sign** – The Board approved installation of a stop sign at Haydenville and Conway Road.

Old Business

Special Town Meeting Discussion – Lynn reviewed a draft of the motions with the Board. She had no further clarification on the \$28,000 needed for the bidding/construction phase of the wellhead.

Mass DOT clarification – The bridge on State Road over 91 near Exit 24 will be reconstructed. Lynn verified that this bridge is the one that will be reconstructed. The project is due for completion in 2015.

New Business

Contracts for Don Bates and Lynn Sibley – Lynn has received a response from Counsel on this matter but had additional questions.

Hampshire Council of Governments Municipal Solar Program – Lynn discussed with the Board the HCOG's new Municipal Solar Program. One of the components is that they would handle the RFP to provide the towns with a certified list of vendors. Jonathan suggested that the towns should be part of the process. Lynn will pass on that suggestion.

Shoreline Green Power Proposal plus new proposal for solar thermal domestic hot water – Shoreline submitted a new proposal for the solar array at the school along with an additional proposal for thermal domestic hot water. The Board will take the second proposal under advisement. Jonathan was interested in shopping this array to other companies. More information is needed to evaluate the hot water proposal.

Franklin County Cooperative Local Health Department – Lynn discussed with the Board the final proposal for a regional health department. The Town would be able to opt in for just the public nursing component of the program. If that would happen, the regulations/requirements for the entire program would still apply to the Town. The Board of Health feels this would end up costing the Town more. The Board agreed with the Board of Health to not join the regional program.

Animal Control program – Lynn discussed with the Board the details of the proposed regional animal control program. The regional kennel would be located in Montague, which currently has a kennel shared with Greenfield and Deerfield. There would be some capital improvements needed to the facility. Initial costs to join the program would be minimal until realistic costs could be established. Grants and donations are being sought to offset the costs. The kennel would be staffed by a regional animal control officer and inmates from the jail.

Cultural Council Contract – Joyce signed, as chair, the contract with the State to receive \$3870 for the Cultural Council.

MA Film, Television and Digital Media Industries – The Board agreed that Lynn should complete this survey for the Town to be designated a film friendly jurisdiction.

Unabatement for FY 10 Ambulance bills – Joyce signed, as chair, a FY10 unabatement for \$6.29.

DiMaio property – The Town recently took over ownership of this property. Lynn received a phone call from a real estate agent who was unaware of the change of ownership yet has a buyer for the property. Lynn asked the Board if they were interested in selling the property or keeping it for the future needs of the town. After further discussion, Lynn will provide the Board with additional information to help make the decision.

New Comcast fees – Lynn reviewed with the Board the new Comcast fee structure.

Hannum accumulation of items on Dickinson Hill Road – Lynn informed the Board that she had received a complaint regarding the accumulation of items along the roadway on Dickinson Hill Road. She sent a letter to Mrs. Richard Hannum as the property owner to have the items moved ten feet back from the road.

Gay's Liquor License – Fee – The transfer of Gay's Liquor License was finally approved by the ABCC. Since there are only a few months left in the current licensing period, the Board agreed to waive the fee. The full fee will apply for next year's license.

There being no further business to come before this meeting, it was adjourned at 8:17 p.m.

Respectfully submitted,

Jonathan Edwards, Acting Clerk

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

Payroll and Vendor Warrant #12-09

10/20/11 email from Lynn Sibley to the CPC committee

FCSA Quarterly Meeting Notice

10/12/11 MIIA letter regarding MIIA credits

9/15/11 letter from Woburn City Clerk regarding House Bill 1972

Proposed contracts for Don Bates and Lynn Sibley

9/22/11 letter from MassDOT regarding bridge W-33-020

Letter from Hampshire Council of Governments regarding Municipal Solar Program

Solis Partners proposal

Franklin County Cooperative Local Health Department proposal

BOH Core Duties

MA Film, Television & Digital Media Industries Survey of Interest

10/5/11 letter regarding Franklin County Regional Dog Control Program proposal

10/19/11 Cultural Council contracts

10/21/11 Comcast price adjustments

10/25/11 letter to Mrs. Richard Hannum

FY 10 unabatement \$6.29 (not a public record)

Gays Package Store Liquor License