

**Board of Selectmen
Minutes
October 14, 2008
Center School Offices
7:00 p.m.**

Select Board Chair Alan Sanderson, Jr. called the regular meeting of the Board of Selectmen of the Town of Whately to order on Tuesday, October 14, 2008 at 7:00 p.m. Also present were Selectman Jonathan Edwards, Town Administrator/Town Clerk Lynn Sibley, and Municipal Secretary Barbara Hancock. Paul Newlin arrived later. Vendor and payroll warrants were reviewed and signed. Minutes from the September 23rd meeting were accepted as written.

Town Administrator, Lynn Sibley: Police Station – The police department will hold an Open House at their new location on Saturday, Oct 18th from 8am – noon. Residents are encouraged to come and tour the renovated building and enjoy refreshments. **MMA legislative breakfast** will be held on Friday, Oct. 31 at the GCC main campus from 8:30-10am. **CPA Forum** will be held tomorrow evening at the Whately Elementary School beginning at 7pm. The Community Preservation Act will appear as question four on the November ballot. The purpose of the forum is to explain how the CPA will affect property owners and the benefits it offers the Town. Representatives from the Community Preservation Coalition will conduct a presentation and answer questions. And local CPC representatives will be on-hand to explain how CPA funds have been used in their towns. **Debris Management Program** – The Whately Transfer Station was considered as a possible site for debris collection in the event of a disaster in the area. Lynn has since spoke with program representatives regarding the transfer station's proximity to the Town's Highway, Fire, and Police Departments as well as the cell tower and salt shed. The program seeks to establish town owned property that will be designated as a debris collection site. Most of Whately's properties would not qualify because of their proximity to vital town resources, the river or lack of enough open space. **Legislators Meeting in Sunderland-** Representative Steve Kulik and Senator Stan Rosenberg will be meeting with area towns' leaders to discuss the state's finances. The meeting will be held on Thursday, Oct 16th beginning at 7:30pm at the Sunderland Town Hall, second floor. **WES MCAS Scores** – The Board congratulated the Whately Elementary School for MCAS scores in sixth grade English that ranked first among state schools. The scores for last year's tests were recently released. The Board will write a letter of congratulations on their outstanding accomplishment.

Town Clerk, Lynn Sibley: Dog Licenses – One owner with two dogs will receive a court date for failing to license the dogs. **Voting Reminders** – Tomorrow is the last day to register to vote in the November presidential election. Lynn will be in the office until 4pm and again from 7-8pm. Absentee ballots are now available. Voters must apply for an absentee ballot by noon November 3rd. Absentee ballot applications are available online, at the Whately post office, or in the Town Clerk's office.

Highway Department: Lynn updated the Board. **Haydenville Rd** – Executive committee members from the FrCOG and abutters attended public hearings last week regarding the bridge project. Easements were agreed upon: a fee was agreed for the permanent easement and the temporary easements were donated. **Long Plain Rd** – no update available. **Westbrook Rd Speed Signs** – Four *Go Slow Children* signs already exist on Westbrook Rd. A letter will be sent

to Mass Highway regarding Whately's intention to begin the speed limit setting process on Westbrook Rd.

New Business

Resignation – Fran Symanski has resigned her position on the Council on Aging. Lynn explained that the transition under the new director has not been going very smoothly.

Heritage Landscape Inventory Program – Whately was approved for the program (discussed at Sept 9th SB meeting). Ten out of the 18 applications submitted were accepted. Alan McArdle will be Whately's representative. The Selectmen reviewed and signed the Memorandum of Understanding.

7:15pm Agricultural Commission – Present were Bill Obear, John Devine, Cris Coffin, John Chamutka, Ben Bowell from American Farmland Trust, and Margaret Christie.

Bill Obear presented the Commission's purpose for creating the proposed Agricultural Overlay District. An outline of the overlay project was distributed to the Board. The Commission is interested in preserving the culture and landscape of farming, which they contend sets Whately apart from other communities. They hope to promote and protect the practice and viability of farming by maintaining an adequate base of agricultural land and activity. The Commission hopes the overlay district would build-in buffers to minimize conflicts between agricultural operations and residential uses. The preservation of farmland in Whately not only preserves the landscape that defines Whately but also protects the Town from increased public service and infrastructure costs that result from unplanned growth. John Devine outlined the value of Whately farmland estimated at \$5-7000 per acre, which is very high. Whately has some of the best farmland in New England. The river bank farms with naturally irrigated soils for tobacco and potatoes while the Eastern and Western side of town are great for trees and fruit. These two areas would make up the overlay district: Section one from I91 to the Conn. river, and Section two would run from I91 to North St/Chestnut Plain Rd. Ben reviewed the maps (distributed) created by the Trust for Public Lands that outline the farmland and the type of soil. Some of which were identified as qualifying for the highest score on the APR guidelines. The Board reviewed the zoning table of uses under the proposed agricultural overlay district. The Selectmen had some concerns about consistency regarding uses. Protecting farmland should not restrict farmers arbitrarily. An increase in minimum lot sizes in the district may prohibit too many houses from being built on farmland, but may also restrict a farmer from selling a small portion of his land to financially maintain his farming business. The Commission asked the Selectmen to provide feedback that they could incorporate into their proposal before presenting it to the Planning Board. The Selectmen suggested the ZBA Special Permit process could include the Agricultural Commission's input for projects affecting or pertaining to farmland. Selectmen could also refer to the Ag Commission on Chapter 61A lands referred to the Town for their rights-of-first-refusal.

(7:55pm Paul Newlin arrived)

The Ag Commission will continue to tweak the proposal and will work on incorporating the input from the Selectmen before appearing before the Planning Board. The Selectmen thanked the Ag Commission for all their hard work as they departed at 8pm.

New Business Continued

Frontier Tree Claim – A lawyer representing a woman, who neighbors Frontier Regional High School, sent notification of a claim that during tree removal at FRS some of her trees were damaged. Don from the Superintendent of school's office is looking into the matter and has contacted the school's insurance company.

Vermont Medicaid Ambulance Contract – The Selectmen reviewed the renewal contract and signed.

Trench Regulation – The Division of Local Mandates provided a written decision regarding the new trench regulation as an unfunded mandate. The Dept. of Public Safety provided a model trench permit application that outlines a town's ability to charge violators for costs incurred by the town. Therefore, the regulation is not an unfunded mandate for the towns. As the regulation is written, towns are the permitting authority and would respond to reports of violations by rectifying the danger by covering or filling in the trench. The state agency, DPS, would be the enforcement authority. The Board plans to ask Rep. Kulik to get changes made to the regulation. Any ditch more than 3ft deep and less than 15ft at the base would require a permit. Most ditches would fall into those dimensions: drainage, utilities, and graves. The Selectmen are concerned with the regulations broad parameters.

Town Budgets – In light of the anticipated budget reductions for next year's state budget, Lynn will contact all Town departments to encourage restraint in spending this year's department budgets.

Transfer Station Inspection – The Selectmen reviewed the MOU from FCSWMD to perform the state required inspection of Whately's transfer station, \$50 fee. All agreed and signed.

Senior Center Grant Application – The Senior Center is applying for a Cultural Council grant to defray the cost of transportation to events of interest. Lynn wrote a letter of support for the Senior Center's application.

Thank you from Bernardston – The Bernardston Select Board wrote to thank the Whately Selectmen for responding to their concerns regarding Franklin County Technical's admission policy, which denies many member towns' students while accepting out-of-district students. The Selectmen had agreed at their July 29th meeting to request more information from Franklin County Technical regarding their enrollment procedures.

Warrant – The Selectmen reviewed and signed the ballot for the November 4th elections.

Next meeting may include someone interested in discussing a conservation restriction.

There being no further business to come before this meeting, it was adjourned at 8:20 p.m.

Respectfully submitted,

Jonathan Edwards, Acting Clerk