

**Board of Selectmen
Minutes
July 8, 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, July 8, 2008 at 7:00 p.m. Also present were Selectman Paul Newlin, Town Administrator/Town Clerk Lynn Sibley, and Municipal Secretary Barbara Hancock. Selectman, Jonathan Edwards was absent. Vendor (FY08 and FY09) and payroll warrants were reviewed and signed.

Berkshire Gas representatives were on hand to inform the Selectman of their future plans to add a third LNG (Liquefied Natural Gas) tank to the two originally installed at the Long Plain Road facility back in 2000. Attending the meeting were: Chris Farrell, Manager of Corporate Communications and Government Relations, Rick Nasman, Director of Operations, Jim Avery Counsel from Brown Rudnick law firm, and Facilities Manager Dave Grandy. Plans for the additional tank are preliminary at this point. Chris Farrell explained that the original application included a plan for five tanks to be installed over a period of time. Because the project is being done in stages, Berkshire Gas will need the Siting Board to review the facility to ensure there are no significant changes since the original approval. A public hearing will be held as part of the process. There will be minimal amount of construction needed. Peak load during the winter months has created the need for an additional tank. It will likely be late 2009 or early 2010 before construction begins. The company has an exemplary safety record at the facility. Mr. Grandy, Facilities Manager, has continued to hold annual training sessions with Whately's Fire Dept. The facility is also monitored 24-hour a day by surveillance cameras. This facility was the first built in thirty years and has since served as a model for other new facilities. Chris Farrell submitted a fact sheet highlighting the history and plans for the facility along with a photo of the site. The company will keep the Selectmen updated throughout the process. The Selectmen thanked the representatives for keeping them informed.

Town Administrator, Lynn Sibley: Police Station – A weekly project meeting will be held tomorrow. The rough electrical and plumbing is in. The heating and air conditioning technician was there recently. And insulation is being installed. **Triathlon** was held Sunday. There was a good turnout and the event was well organized. Participants and spectators all seemed very happy with the event. Police Officer Don Bates appeared before the Board and reported minimal issues: one car hit the abutment on route 116 and one biker went off the road. Both incidents were minor with no injuries. The Northfield Dive team, Whately EMS, and police from Whately, Deerfield, Conway and Hatfield were on hand. **Assessor's position** still vacant. **Truck Terminal** – Attorney Bard determined that the business operating out of Pasiecznik's property is not a truck terminal. Truck terminals are prohibited by Whately's zoning bylaw. **Comcast** sent a packet to Selectmen to help us explain the shift to digital service to residents. **Comcast Letter** – Mr. Fitzgibbons from Comcast responded to the Board's letter of concern regarding increased pricing while decreasing service. According to Mr. Fitzgibbons there will be no charge to residents for the first year when switching from expanded basic to the digital starter plan including no charge for the required box. **Rooster** – Mr. Delaney moved his rooster into his barn to appease his neighbor. However, the rooster along with all the chickens were attacked and killed by a raccoon. Mr. Delaney would still like clarification on the situation because he plans to replace the chickens. **Service Citations** - The Selectmen signed award citations for Gary Lawrence, Robert Bourke and Adelia Bardwell. **Audit Letter** – The Selectmen signed the letter of compliance for Scanlon's office and were given a draft copy of the management letter to review. **Hampshire Power** – The Selectmen reviewed and signed the annual electricity contract. Lynn plans to move the Fire Dept. from the real-time to the profit-sharing program. According to the use over the past year, the profit-sharing plan would provide better savings. The water department will remain on real-time. **MGL allows June TM/Elections** – A change in Mass General Laws now allows towns to hold their annual town meetings or elections in June. The Selectmen discussed moving elections to the second Tuesday in June. February elections pose some difficulties for new members coming in at budget time. The Board will discuss options again before making a decision for next year.

Town Clerk, Lynn Sibley: Dog Licenses – There are twelve dog owners that have not licensed seventeen dogs.

7:45 pm Finance Committee –

Members present: Thomas Mahar, Jane Grybko, Greg Gagnon, Joseph Zewinski

The Joint meeting was called to handle end-of-the-year interdepartmental transfers. The two boards reviewed and approved the following transfers:

1. \$ 390.36 from the Property Insurance account to the Library's account (short due to oil costs)
2. \$1,437.92 from the Group Insurance account to cover the Town's share of Medicare (due to a budget miscalculation)
3. \$2,265.70 from the Worker's Compensation account to the Legal Expense account (\$1300 related to fighting an appellate court case with Yankee Candle).
4. \$ 30.43 from Property Insurance to Life Insurance

The Finance Committee also reviewed and approved three FY08 reserve fund transfers, as follows:

1. \$3,152.80 into Town Vehicles Fuel
2. \$ 662.14 into the Town Buildings Operations account
3. \$ 850.00 into the Water Dept. Operations account.

The Finance Committee also approved a FY09 reserve fund transfer of \$3,740 into the Veteran's Services account to cover benefits for a new resident.

The Finance Committee also reviewed the tax delinquent status report.

The two Boards discussed future matters such as earmarking funds for a new ambulance and the eventual independent status of the Water Department. The Water Department will be invited to a Selectmen's meeting.

With no further business before the Finance Committee, the members closed their meeting at 8:20pm and the Selectmen continued with their meeting.

New Business

Transfer Station Attendant – Two individuals have expressed interest in the position. Applications will be accepted and interviews will be scheduled.

ZBA Secretary – One application has been received as a result of the newspaper advertisement. The ZBA will interview the candidate.

Cemetery – Roland spoke to Lynn recently about maintaining the cemeteries. Alan has been overwhelmed lately and Roland has not been available to help. They decided to hire a landscape company to come in once to catch-up. That may also help the landscaper give Whately a solid estimate on the cost to maintain the cemeteries on a regular basis. Roland was going to collect some estimates from various landscape companies for consideration.

Irving Oil – A new company may be purchasing the convenience store and gas station from Irving Oil. Lynn received a telephone call from the new company regarding licensing applications. Irving Oil just purchased the store and gas station a couple of months ago.

Fuel Bids – Kieras Oil was the low bidder for heating oil and diesel at .11 cents markup and F.L. Roberts was low bidder at .1489 for regular gasoline for FY09. Selectmen voted to award the bids to the low bidders.

Appointments – The Selectmen voted to appoint David Jackson to the Fence Viewer and Field Drivers. They also appointed Lynn Sibley the Emergency Response Coordinator.

Baystate Franklin Medical Center wants to host a jazz band in the gazebo at their State Rd office on Thursday September 25th. The band will be part of an open house type celebration at the medical center. The Selectmen approved with no fee.

Medicare Contract – Despite Lynn's numerous attempts to waive the required individual's personal information for the Whately Ambulance, Medicare again sent the contract back. Medicare is requiring Lynn as Town Administrator and the Chair of the Selectmen to provide their dates-of-birth and social security numbers. Reluctantly, Lynn and Alan completed and signed the contract. The Medicare representative claims the contract would not be accepted without the information and assured Lynn their personal information is not used nor makes them liable.

There being no further business to come before this meeting, it was adjourned at 8:50 p.m.

Respectfully submitted,

Paul K. Newlin, Clerk