

**Board of Selectmen  
Minutes  
September 23, 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, September 23, 2008 at 7:00 p.m. Also present were Selectmen Paul Newlin and Jonathan Edwards, Town Administrator/Town Clerk Lynn Sibley, and Municipal Secretary Barbara Hancock. Vendor and payroll warrants were reviewed and signed. Minutes from the September 9<sup>th</sup> meeting were accepted as written.

**Town Administrator, Lynn Sibley: Police Station** – The police department has moved into their new station on Christian Lane. An open house will be planned soon so residents may tour the new station. **Mass. Selectmen’s Association Dinner** - All three Selectmen attended the meeting held last week at the Whately Inn for Franklin County Select Board members. Unfortunately, not many Select Board members from other towns attended. Question 1 on the upcoming November ballot was discussed. **Railroad Response** – Phil Grady from the Federal Railroad Administration responded to the Select Board’s letter regarding the poor condition of the tracks through town. Mr. Grady walked the tracks and noted 57-58 ‘exceptions’ (items that need repair or attention), which he reported to Pan Am Railroad for correction. The repairs are not significant defects and do not pose a safety risk. Pan Am has 30 days to respond and then Mr. Grady will re-inspect the tracks. Representative Kulik’s office is monitoring the issue also. Paul Dunphy has been in contact with Mr. Grady. **Legislative Breakfast** is scheduled for Oct. 31<sup>st</sup> from 8:30-10am at GCC. **United Nation’s Day Proclamation**, approved at the last meeting, was signed. **Yankee Candle Ribbon Cutting** ceremony for their new Wax Works exhibit will be held Friday. Lynn will advise YC that Board members did not receive an invitation and are not available to attend. **Thank You Letter**- The Board reviewed and signed a letter of thanks to MEMA for their assistance during the July State-of-Emergency in Whately. **Castaway’s Change of Hours**- The Selectmen reviewed and signed two ABCC Form 43s regarding Castaway’s temporary change in business hours approved during public hearings at the last Selectmen’s meeting. One form pertains to the hearing for the extension of hours and the second form for the return to normal business hours. **Grange Ceremony** – The Grange will honor Whately’s EMTs on Thursday evening at the Elementary School. Alan will speak on behalf of the Select Board. **CPA Forum** has been scheduled for October 15<sup>th</sup> at Whately Elementary. Guest speakers will explain the program and answer questions. The forum will give residents an opportunity to learn about the program before voting on it in November. Judy Markland has handled the distribution of lawn signs in favor of the CPA ballot question. **Ag Commission** left packets for the Selectmen to review regarding their proposed agricultural overlay district. The Ag Commission will attend the next Selectmen’s meeting to discuss their plans. **WMECO** will hold their annual meeting tomorrow night at Bill’s restaurant. This year’s discussion will focus on emergency planning and response. **Question 1** – Paul proposed the Board go on record against Question 1 on the November 4<sup>th</sup> ballot because it would negatively affect Whately’s town budget significantly. Question 1 would eliminate the state’s income tax by the next fiscal year. State income tax revenues amount to one third of the state’s overall budget. A reduction of that size would significantly impact funding for cities and towns, state police, highway projects, emergency response, health and human services. It is expected that other taxes would increase or new taxes would be created to offset the reduction in revenues. The Selectmen voted unanimously to state their opposition to Question 1.

**7:15pm Tax Classification Hearing**

No one attended the hearing. Lynn explained that new growth was approved and the process to set the tax rate has begun. This year’s tax rate should come in at \$14.45 per thousand (current tax rate is \$14.38) with \$11,500 in excess capacity. Whately’s five tax classifications are made up as follows: 80.69% Residential/Agricultural, 8.37% Commercial, 8% Industrial, and 2.6% Personal Property. It may become possible to change Chapter lands from commercial classification to agricultural classification in the future

by town vote. With that change, a dual tax rate may seem more reasonable. Selectmen voted unanimously to maintain a single tax rate. The hearing closed at 7:22pm.

**FCAT- Wayne Shaw Chairman and Joyce Palmer-Fortune** appeared before the Board to present a revised contract, which includes some clarifications but no content change. The new contract replaces the contract signed by the Selectmen at their August 26<sup>th</sup> meeting. Article 6 is now included in its entirety and attached to the contract rather than just referred to by article number, per Sunderland's request. Article 6 refers to funding, which excludes giving FCAT all of each town's Comcast funds. Currently Whately gives FCAT approximately half of its Comcast revenues in quarterly installments based on an agreement between FCAT and the Selectmen (June 12, 2007 meeting) as a proportional contribution toward FCAT's pilot program. FCAT will discuss the possible extension of that one-year pilot program at a future Select Board meeting. Each of the FCAT member towns must maintain funds to operate their independent Channel 15s. There was also a typo corrected. The Selectmen reviewed and signed the revised contract.

**Town Clerk, Lynn Sibley: Dog Licensing** – One owner with two dogs will have a complaint filed in court on Monday for failure to license their dogs. **Voter Registration Sessions** will be held October 15<sup>th</sup> from 2-4 and 7-8pm and will be the last day to register to vote in the November 4<sup>th</sup> Presidential Election. Residents may also register to vote during regular office hours up until Oct. 15<sup>th</sup>. Registered voters must request an absentee ballot if they are unavailable or unable to vote in person on November 4th.

**Highway:** Lynn updated the Board. **Haydenville Rd Bridge** – Lynn and Highway Superintendent Keith Bardwell have been working with FrCOG on the temporary and permanent easements involved with the bridge project. This is the first project the FrCOG is handling without an engineering staff, so there is some uncertainty to the proceedings. The Town will need to negotiate the easements with two residents, one resident will have a temporary easement and the other will have both a temporary and a permanent easement, both involving very small amounts of land. Mass Highway has developed the CME right-of-way plans, which have incorporated changes based on input from the last public hearing. The Selectmen reviewed a petition signed by six residents calling for the bridge repair. The Board signed a letter of support for the petition to be forwarded to FrCOG. A public hearing will be held on Oct 9<sup>th</sup> beginning at 4:30 at the bridge followed by a 5:15 meeting at Town Hall. It is hoped that the project will be ready to go out for bids in February 2009 and be completed within the year if the project is not delayed. **Long Plain Rd** – Need to wait for an update from the Keith.

**Appointments: Assessor-** Upon the recommendation of the current Assessors, the Selectmen voted unanimously to appoint Melanie Chorak to serve as an Assessor until the next May elections. **Franklin County Solid Waste Management District Rep** – Bill Obear no longer wishes to serve as Whately's representative. The Selectmen voted unanimously to appoint Ronnie Williams to serve the remainder of Bill's term.

**Mutual Aid Agreement with Hatfield Fire** – Hatfield has requested a specific mutual aid agreement with Whately, in addition to the tri-state agreement both towns participate in. The contract would instruct dispatch to call Whately Fire after the second unresponsive Hatfield tone (equal to 4 minutes) except in the case of a structure fire when Whately would be called immediately. The Selectmen questioned the need for a redundant agreement of support. But the additional contract is more specific and helps guide dispatch more clearly. The Board reviewed the mutual aid agreement and voted unanimously to accept. Agreement was signed.

**Westbrook Road Residents' Petition-** A petition was submitted to the Selectmen's office signed by 26 Westbrook Road residents concerned with the speed of traffic on their road. Many of the residents have young children and pets, whose safety they believe is at risk because of the speeding traffic. The petition calls for the Selectmen to help caution drivers to watch for children playing and to slow down. There are no speed limit signs currently posted on the road and the residents would like the Board to set an appropriate speed limit. The Board will ask the Highway Superintendent to erect Go Slow Children Playing signs immediately and will speak with the Police Chief about beginning the speed limit setting process, which is done by the state based on local police's road surveys. The Selectmen also reiterate their desire for the police department to use the automated speed-reading sign and to park unmanned cruisers as speeding deterrents.

**Disaster Debris Study** – FrCOG is working on a disaster debris mitigation study. In the event of a widespread disaster in this area, designated collection sites on both sides of the river would be needed. The Whately transfer station is being considered as a possible site. FrCOG will be making site visits to evaluate the feasibility. The Selectmen disagreed with the site being used for the collection of disaster debris as this is a central location for Highway, Police, and Fire departments whose services would be needed in the event of a disaster. The Board will wait until after the site visit before requesting a meeting with FrCOG on the matter.

**Heritage Landscape Inventory Program** – The application is complete and will be sent along with a number of letters of support from Town boards including the Planning Board, Conservation Commission, Historical Society, Water Department, and the Whately Land Preservation Group. The Selectmen reviewed the application and signed a letter of interest. The program will award only 10 out of the 40 eligible towns.

**Bulky Waste Collection Day** will be held Oct 4<sup>th</sup> at the Whately Transfer Station from 8am-1pm.

**Historical Society's Fall Festival** will be held Sunday, Sept 28<sup>th</sup> at the Center School.

**Lynn Away** – Lynn will be out of the office attending a clerk's conference Wednesday Sept. 24<sup>th</sup> through Friday the 26<sup>th</sup>.

There being no further business to come before this meeting, it was adjourned at 8:08 p.m.

Respectfully submitted,

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Paul K. Newlin, Clerk