

**Board of Selectmen
Minutes
February 24, 2009
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, February 24, 2009 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. Minutes from the February 10th meeting were accepted as written. Payroll and vendor warrants were reviewed and signed.

Town Administrator, Lynn Sibley: FCTS Offering Free Oil – FCTS recently converted their heating system from oil burning to natural gas. They have offered their on-hand heating oil to member towns free of charge on a first-come first-served basis. The town would be responsible for the costs to drain and transport the oil. There are 8000+ gallons available to be divided amongst the first four towns (2000 gallons each) to respond. Whately is sixth on the waiting list. If Whately is offered the oil, Lynn will contact Kieras Oil to see if they could transport the fuel.

GASB 45 – Lynn is recommending that the Town purchase (FY10) the actuary software discussed at the last meeting based on recommendations from other towns that have used it.

Park & Ride – The Whately Historical Commission was notified recently of a proposed bus park and ride site being considered for property on 5 & 10 near the current South Deerfield Irving Oil gas station. The Selectmen have not yet been notified of any pending plans although the idea has been discussed for years. **Communities that Care Coalition** is encouraging Towns to recognize their youth. The Coalition is asking that communities celebrate contributions and achievements made by their youth. Lynn forwarded some of the flyers to the Elementary School.

Dept of Telecommunications & Cable have been asked by three rural towns in Franklin County (Rowe, Shutesbury, and Hancock) to investigate Verizon's service quality. The Dept. is soliciting comment from other towns as it considers whether to conduct a regional investigation. The Selectmen discussed the sporadic cell service throughout town in spite of the in-town cell tower. There was a short discussion about investigating other tower sites including the Smith observatory, the stump dump, and local private towers. The Selectmen didn't feel that Whately suffered the same complaints that the other towns indicated. **Lynn on Vacation** February 6th – March 4th. **FCTS** has completed a 5 million dollar energy efficiency renovation and has scheduled an open house for February 26th at 11am. **Senator Rosenberg's Annual Conference** will be held at the Clarion Hotel in Northampton on April 4th. **Green Communities Act** –

Recent literature indicates that this program may not be as voluntary as it first appeared. Criteria under the Act include things like revised zoning that gives residents the right to install green energy items such as photovoltaic panels rather than requiring them to get a special permit. It also encourages expedited permitting. A survey was also included asking the Town about energy conservation efforts within town buildings.

FY10 Budget Status – Discussed the general state of Whately's finances. The FY10 budget has a \$28,000 deficit with department budgets as presented, COLA of 2.5%, paying FY09's winter roads deficit, three capital items, and using \$150,000 from free cash (leaving \$120,000). Most departments submitted level-funded budgets; except for Highway (increased for winter roads and vehicle maintenance because of new inspection requirements), Police budget increased by \$600,

the Fire Dept. increased by \$2500 (Heating costs at the station have tripled in the two years. Lynn to investigate), and Tres/Coll increased to account for quarterly billing. Whately receives very little state aid, so the recent state budget cuts have not had a huge effect on the town's budget. In addition, the school budgets for next fiscal year are pretty low: Frontier's went down, and the Elementary School had a 2.5% increase. There was a short discussion about the future of the water department now that the debt is paid off. The Personnel Committee met recently and decided to support the COLA increase of 2.5% only if the Finance Committee felt the budget could support it. **Energy Performance Contracting** – The inspection for the preliminary audit was done recently. The buildings' minimal use may limit the options for energy conserving projects. **ISC and NIMS Training** – Lynn reminded the Selectmen that the trainings must be completed. **Door 2 Door Drill** – On April 18th emergency personnel will deliver the annual town report to simulate an emergency that would require a drug to be administered town-wide. Lynn invited the Selectmen to participate. The Board would like to encourage the police and fire departments to become involved. Lynn will contact police and fire.

Kay and Robert Gaffney - Kay Klippel and Robert Gaffney appeared before the Board to discuss trouble they are having exiting their driveway onto Haydenville Rd because of close proximity of merging Webber Rd traffic. The Gaffneys presented the Board with photographs depicting their driveway from several angles. Their house sits on top of a hill above Haydenville Rd at the corner with Webber Rd. Webber Rd presents itself as a merge because of its angle onto Haydenville Rd. There is a yield sign at the intersection. Their driveway cuts downward from their house to Haydenville Rd through the property leaving high bankings on either side of the drive at the bottom. The combination of quick approaching traffic off Webber Rd, Webber Rd's close proximity to the Gaffney's driveway, and the decreased visibility because of the driveways high bankings has created a safety concern for them. Alan had visited the site with highway superintendent Keith Bardwell. Alan noted that the Gaffney's had installed a mirror on a tree across the street facing the other way to assist them when exiting their driveway. He suggested another mirror facing toward Webber Rd be installed. However the Gaffney's found the mirror offered limited assistance because snow, fog, morning dew, and rain interfere with the view. The Board did agree to have the highway superintendent investigate whether a stop sign is appropriate at a merging intersection. After a short discussion, the Selectmen agreed to investigate further the option of a stop sign and request a report from the police department regarding the rate of accidents in that area. The question seemed to center on whether the intersection is dangerous or the driveway is hazardous. The problem may be greatly improved if the residents cut the bankings down alongside their driveway.

Highway Department: Lynn updated the Board. **Haydenville Rd** – Still working on getting the takings done. Mass Highway is still contacting Whately for the takings, while FrCOG insists that they do the takings. **STRAP grant** – All the Conway Rd residents that responded, supported road improvements. Only one person voiced concerns about the project and they did not live on Conway Rd. An article will appear in the next edition of the Scoop to let residents know that the Board is considering the project. **Trench Permits** – The Selectmen voted to appoint Keith Bardwell as the permitting authority for the newly mandated state Trench Regulation that goes into effect on March 1st. After some discussion, the Board voted to charge \$25 per trench permit for the new law but leave the town's trench cut permit at \$75, \$100 if someone needs both. The Selectmen supported the idea of setting up a revolving fund to collect the fees and then Keith can

submit his time to investigate reports of violations. The police department would be second in line to respond to a violation. **Shared Highway Equipment Agreement** – The Selectmen reviewed a draft agreement with Hatfield for use of their road grader. Some needed clarifications were noted: Change minimum half-day rental to 4 hours and Whately will rent the grader for a minimum of 6 – 8 days per year instead of 10 days. **Deficit Spend Winter Roads** – The Selectmen unanimously voted to allow the winter roads account to run a deficit. There may be enough salt and sand for the rest of the season, but labor and overtime have run the department over-budget.

New Business

Fire Department ISO – Several conditions outlined by ISO are still unresolved. Lynn had the representative call the Fire Chief directly. Lynn will follow-up on getting the fire department's telephone number listed in the telephone book.

Deerfield COA Letter – The Deerfield Council on Aging wrote a formal complaint against the Senior Center Director because she did not attend a recent Association Meeting. Lynn explained that the Association has no authority to instruct the Director to attend those meetings, threaten disciplinary action, or fire her.

Mason Driveway – The Conservation Commission is concerned that the driveway may not be constructed as designed on the approved plan. The Commission has asked the Masons to submit "as built" plans and will schedule a compliance inspection. The Planning Board had sent a letter to the Masons regarding the same concerns.

Application for APR – The Selectmen signed one of two APR applications announced at their Jan 27th meeting for property on River Rd. The other application is forthcoming.

Borrowing – The Selectmen signed a \$300,000 short-term note at 2.5% to cover the Town's expenses until the next real estate tax bills are paid.

There being no further business to come before this meeting, it was adjourned at 8:45 p.m.

Respectfully submitted,

Paul K. Newlin, Clerk