

**Board of Selectmen
Minutes
July 14, 2009
Center School Offices
7:00 p.m.**

Select Board Chair Jonathan Edwards called the regular meeting of the Board of Selectmen of the Town of Whately to order on Tuesday, July 14, 2009 at 7:00 p.m. Also present were Selectmen Paul Newlin and Joyce Palmer Fortune, Town Administrator/Town Clerk Lynn Sibley, and Municipal Secretary Barbara Hancock. The vendor and payroll warrants were reviewed and signed.

Town Administrator, Lynn Sibley: Set Special Town Meeting – Lynn felt that we would need a special town meeting sometime before the tax rate gets set. Some possible articles would be to adjust the school roof appropriation, Quinn Bill and possibly adopt the increase in meals and rooms tax that was just approved as a local option for towns. **Changes to Public Pension** – Lynn sent emails to Rep. Kulik and Stan Rosenberg regarding the changes in the Pension reform. A minimum earnings requirement of \$5000 per position has been approved. The email addressed concerns that the changes were especially detrimental to small town employees who often combine jobs that may be less than \$5,000 per position to end up with a total that would pay a living wage. Rep. Kulik and Sen. Rosenberg are checking to see if the Retirement Board is interpreting the new law. The Retirement Board is reviewing the changes as well. There were many retirements filed June 30th especially in the Police and Fire departments across the state. Another change being considered is to average salaries over the entire service period instead of the average of the last three years of service. Lynn also addressed this in her email indicating that it would again be detrimental to small towns where employees may work part-time before being hired to a higher paying job later on in their careers. **Energy Performance Contract** – If the Town decides to move forward with the investment grade audit Whately would be charged \$4800 if viable projects identified in the audit are not done. The Board supports going forward with the audit with the intention of pursuing recommended cost saving energy improvements. The Board will review the contract at their next meeting. **Liaisons for Departments** – Paul will remain the Police Liaison. Joyce agreed to work with the Highway and Fire Departments. And Jonathan agreed to continue with the Assessors and Collector. Later in the meeting, Jonathan and Joyce agreed to switch assignments.

Town Clerk, Lynn Sibley: Dog Licenses – Currently there are 15 owners of 22 dogs that have not been licensed. **Lynn Away** – Lynn will be away next week attending Town Clerk school in Plymouth NH.

Highway Dept – Lynn updated the Board on recent correspondence. **Representative Kulik** wrote to Mass Highway in support of the Haydenville Rd Bridge project, currently scheduled to go out to bid in October. **Long Plain Rd** – The Board reviewed and signed the easement deed from Jean Wrobeski who agreed to donate a small portion of her land involved in the culvert reconstruction. The work will begin on Long Plain Rd on Monday, July 27th and will cause the road to be closed the July 28th- 31st in the area of 103 – 109 Long Plain Rd. Signage will direct motorists. **Superintendent Keith Bardwell: Long Plain Rd** – The Selectmen reviewed and signed the project request form for \$30,000 in Chapter 90 funds to be used for the Long Plain Rd culvert. The easements needed to be complete before the request could be submitted. Keith felt the project may not cost that much. Keith did notify Harvest Farms regarding the anticipated road closure as well as the police department and will contact the fire department. **Hatfield Grader** – Hatfield obtained a grader through federal military surplus. Federal surplus is usually available at no cost. Therefore, a new agreement should not require a minimum per year rental. Keith will look into it further and report back to the Board. He did not get to look it over but the grader appeared much smaller. **STRAP Grant** – Traffic counts were done however the cable was damaged which may have compromised the information obtained. Some money will be needed to pay for initial engineering work to produce the RFP, request for proposal. The remaining engineering work would be paid by the grant. The

grants have become more competitive as the number of eligible towns increases each year but the grants are now 100% funded. STRAP grants used to have a 15% payback off the Town's cherry sheet for 10 years.

Senior Center – Lynn updated the Board on the continuing deterioration of relations at the Senior Center. Deerfield Council on Aging seems to be interested in running the Center on their own without a director. While it appears that the uncooperative behavior seems to be generated by a small number of Deerfield CoA members, the Deerfield Selectmen have reappointed them all. Whately and Sunderland plan to send a survey to all seniors (130 in Whately 60+) to get a better idea of what services they would be interested in. The Board reviewed the survey and made a few suggestions. Whately plans to apply for the MCOA grant of \$3300 which is normally used to pay the director's salary. If the situation changes, Whately may request a change in the grant's use.

Finance Committee

Members Present – Joe Zewinski, Maryann Sadoski, Dan Kennedy, and Tom Mahar.

Members Absent – Jane Grybko, Robert Fydenkevez, and Greg Gagnon

End of the Year Transfers – Lynn reviewed, for the two Boards, those accounts that ended FY09 with a deficit and some accounts with surpluses that may be used to offset those deficits.

1. The Finance Committee approved a reserve fund transfer of \$9260 to pay the winter roads account (deficit \$14,535.35).
Joe, Maryann, Dan, and Tom voted yes.

The Selectmen and Finance Committee together approved the following transfers unanimously:

- Joe, Maryann, Dan, Tom, Paul, Joyce, and Jonathan voted yes to all.
2. Highway Salaries deficit of \$221.29 will be transferred from the FCSWMD Special Revenue account.
3. Police Construction deficit of \$6024.93 will be transferred from Construction Design Account \$60,
Police Donation Account \$1230,
Property Insurance \$4734.93
4. Winter Roads remaining deficit, after the reserve fund transfer, of \$5275.35 will be transferred from Town Vehicle Fuels \$5000,
transferred from Worker's Compensation \$275.35.
5. Water Dept deficit of \$968.15 will be transferred from Selectmen's Account
6. Cemetery deficit of \$390.96 will be transferred from Selectmen's Account
7. Tri-town deficit of .50¢ will be transferred from Selectmen's Account
8. Police Dept Expense deficit of \$1694.27 will be transferred from Veteran's Services.
9. Tax Takings deficit of \$3931.09 will be transferred from Ambulance

Other Budget Updates – School Choice remains a negative balance although receipts may not have posted yet. Currently the **FY10 Town budget** is balanced but Whately's minimum contributions to Frontier increased (possibly \$15,000). The **Elementary school roof's bid** was opened and reviewed within the last couple of days. A metal roof is expected to cost approximately \$175,000. If the cost is significantly less than the debt exclusion vote for \$230,000 approved last spring, another vote to lower it will be scheduled. **Quinn Bill** – Waiting for counsel's opinion on the Town's position now that the state is not funding its portion.

New Business

Additional Appointments: Police -The Selectmen voted unanimously to renew Police Chief James Sevine's three year contract and full-time police officer, Donald Bates' one year contract. There were no changes made to the terms of their contracts. It was noted that the contracts call for annual consideration as to COLAs and the restriction on the full-time officer's contract against seeking an additional position elsewhere. The Board discussed briefly, the need to create and maintain performance evaluations for all employees. **Fire Chief's Appointment** – Lynn requested a clarification on last meetings vote to appoint

the Fire Chief for one-year with a six month review. The Board agreed to appoint the Chief for the full year, but will issue him a letter regarding the performance concerns and follow-up on the list in six months. **FRTA Appointment** – Fred Bardwell would like to continue as the FRTA representative. The Board unanimously appointed Fred. **CPC Committee** – The newly formed committee will be represented by two at-large positions, a representative with housing background, and another with parks and recreation interests all appointed by the Selectmen. Three other representatives will be appointments made by the Historical Commission, Conservation Commission and the Planning Board. Some possible candidates were discussed: Catherine Wolkowicz (Housing), Cris Coffin (at-large), Peter Westover, Mary Shanley Koeber, Becky Jones, Paula Stevens, and Sorriels. Lynn will contact everyone to see who would be interested. The Board unanimously approved the appointment of Cris Coffin and Catherine Wolkowicz.

Connect CTY – Town Counsel is still reviewing the contract.

Structural Assessment of Town Hall – Lynn is still in the process of contacting referrals.

Franklin County Public School Project – The Board would like FrCOG to stay involved and continue meeting and discussing cost-saving ideas for the schools. Joyce had spoken with Superintendent Nash prior to tonight's meeting and Dr. Nash would like to 'continue the process of collaboration, of consolidation of resources where appropriate and of regionalizing school districts where possible' with school committee/town approval of efforts/projects.

Open Meeting Law Changes – Recent changes to the open meeting law have generated many questions. One change that is seen as an improvement, the Attorney General's office will now interpret the law instead of district attorneys. That change should create more continuity to the laws' interpretation. Changes to rules governing minutes, agendas, and executive sessions need more clarification.

Green Community Technical Assistance Grant – The Board was reluctant to support the grant application to become a green community because of some of the requirements such as the acceptance of expedited permitting and also requiring all new residential construction over 3,000 to include energy efficiency, water conservation and other renewable or alternative energy technologies by adopting the new BBRS Stretch Code which is a new appendix to the MA State Building Code.

There being no further business to come before this meeting, it was adjourned at 8:48 p.m.

Respectfully submitted.

Joyce Palmer Fortune, Clerk