

**Board of Selectmen
Minutes
Aug 6, 2009
Center School Offices
6:30 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, Aug. 6, 2009 at 6:30 p.m. Also present were Selectman Paul Newlin, Town Administrator/Town Clerk Lynn Sibley, and Municipal Secretary Barbara Hancock. Selectman Joyce Palmer Fortune was absent. Minutes from the June 30th and July 14th meetings were accepted as written. The vendor and payroll warrants were reviewed and signed.

Town Administrator, Lynn Sibley: Room & Meal Tax Increases – A special town meeting will be required for the Town to accept the recent section of state law that would allow for an increase of .75% on the meal's tax, currently 5%, and up to 2% on room's tax, currently 4%. If Whately votes to accept the meal's tax by Aug 31st, the Town could see an estimated \$6493 increase in meal's tax revenue for Sept – May. The Selectmen may consider it for the special town meeting anticipated in Sept. The Board will discuss the subject again before September but decided not to call a special town meeting in August. **Senior Center** – Chairman of the Deerfield Selectmen, Mark Gilmore sent a letter to the towns of Whately and Sunderland recently addressing the conflict that appears to be crippling the Frontier Senior Center. The letter advocated for a MOU to be developed and the desire to maintain the three-town involvement at the Center. The Selectmen reviewed a letter of response that Lynn prepared that pointed out that the actions of the Deerfield Council on Aging have been without the three-towns' consortium involvement. Whately has distributed a survey to all eligible residents polling their desires and needs with regard to senior services and/or a center and will move forward based on the survey's results. Whately would be willing to work on a MOU, but will refrain from signing an agreement until results of the survey have been considered. The Selectmen approved the letter with a couple of changes. The Senior Center has extended an invitation to the Board to attend their annual picnic on Aug 28th.

Quinn Bill – According to Town Counsel, Whately's disclaimer vote not to fund the state's portion of the Quinn Bill if reimbursement is not received, is not valid. Whately must either fund it entirely or based on the invalid town meeting vote, conclude that the Quinn Bill was not accepted at all. The officer in question has said he would be satisfied with Whately's portion of the Quinn Bill, which is approximately half of \$7000. The state is providing a reimbursement of just over \$600 this year compared to \$3500 previously. Town Counsel is reviewing the agreement proposed by the officer. **Special Municipal Employees** – A designation important under Conflict of Interest Laws, applies to committee and board members along with town employees who work less than 800 hours/year or hold a part-time position with the town that allows them to hold a full-time position elsewhere. The ZBA had requested the designation. Lynn prepared a list of all Whately Special Municipal Employees. Jonathan suggested adding the Open Space and Implementation Committees to the list. The Board approved.

Community Development Block Grant – One unit has utilized the grant in Whately. **Mass Broadband Institute** – Lynn sent a letter of support to Larry Strickling, US Dept of Commerce for Massachusetts's Broadband Institute's application for infrastructure funding from the

Broadband Technology Opportunity Program to expand the availability of broadband in our area. **Fire Chief's Letter** – The Selectmen reviewed and signed a letter to John Hannum outlining the concerns they have with the execution of some of his duties as Fire Chief. The Board plans to review his appointment in six months. The Selectmen did recognize with appreciation the Fire Department's fiscal prudence in returning \$2800 from their FY09 budget to the Town.

Regionalization Meeting is scheduled for Sept 3rd to discuss regionalizing town services, such as: police, fire, Board of Health, etc. Lynn plans to attend. **Lieutenant Gov. Murray** was in Deerfield on July 23rd. Paul Newlin attended. **Free Cash Certified**, \$215,090. **Tri-town Beach Closure** – High bacteria counts caused the Beach to be closed today. It will remain closed until normal readings are achieved over the course of three days. **Anonymous Pasiecnik Complaint** – An anonymous letter was received regarding Pasiecnik's appeal to the ZBA of the Building Inspector's cease and desist order with regard to the selling of hot dogs and such at his farm stand.

Town Clerk, Lynn Sibley: Dog Licenses – Ten owners with 16 dogs remain as unlicensed.

Highway Dept: Lynn updated the Board. **Haydenville Rd** – Rep. Kulik had written a letter to Mass Highway in support of moving the start date of the Haydenville Road project up from October. There has been no response to Rep. Kulik's request or Whately's similar request. **Long Plain Rd** – Culvert was completed last week. **STRAP Grant** – Still working on traffic counts and Commonwealth Capital application. **Grader** – No update available. Have not heard whether Keith has had an opportunity to look at the grader that Hatfield obtained through the Federal Surplus program. **Williamsburg Rd** – Preparing a letter of intent for a Hazardous Mitigation Grant, which Whately also applied for last year. The City of Northampton is still willing to help Whately with the project. **Haydenville Rd** – The Selectmen reviewed and signed an agreement for professional services to prepare NOI, surveys, and storm water controls and Chapter 90 forms totaling \$17,000.

New Business

APR Announcement – The Dept. of Agricultural Resources is considering accepting property on Christian Lane into the APR program. The property is owned by Ralph Farrick and sets across the street from Farrick's home.

Connect CTY – Counsel is negotiating terms of the contract directly with Connect CTY.

Town Hall Structural Assessment – Lynn has two appointments within the next week for estimates on conducting a structural integrity assessment of the Town Hall. Mike Shaffer, who has already submitted a contract for assessing the building, submitted a new contract that eliminated the opportunity for the project to exceed \$1500.

Appointments: CPC – The Selectmen still need to appoint an at-large position and someone with Parks & Recreation background. The Selectmen appointed Catherine Wolkowicz to fulfill the housing position. The following were appointed by other boards: Howard Nenner from the Historical Commission, Judy Markland from the Planning Board, and Andrew Ostrowski from Conservation Commission. **Tri-town Beach Commission** – The Selectmen appointed Sue Monahan to the Tri-town Beach Commission. **Franklin Regional Planning Board** – Currently Richard Smith is the Selectmen's Representative but not sure if he is active. Jonathan Edwards agreed to serve.

State Police – The Selectmen reviewed and signed a new MOU with the State Police. As a result of fiscal restraints, the State Police have created a new contract that does not guarantee their response to calls other than police or fire, for example: Board of Health.

Northampton Fire Intercept Agreement – The new agreement does not guarantee that an intercept vehicle will always be available due to their new contract with the City of Northampton.

Comcast announced some changes to their channel line-ups/packages and will require all subscribers to have a digital box on each television in order to receive channels 25 and higher. Each subscriber can receive two converter boxes and one digital box, free of charge.

Fire Department's Liquor License – The Fire Department will hold a muster at Herlihy Field on August 16th. Girardi Distributors will be supplying the alcohol and equipment. The Selectmen reviewed and approved of the license for the event.

Clean Energy Choice Contract – Whately will spend their \$360 on outreach materials.

ARRA Funding – Many of the shovel ready projects thought to be eligible for stimulus funds are not being funded. Roadwork on the TIP list (Haydenville Rd) and education are still receiving funding.

Homeland Security – Whately is seeking reimbursement for the door-to-door drill it ran last fall. The \$1400 will reimburse payroll and expenses.

Vacancies remain on the Council on Aging and a ZBA alternate is needed.

There being no further business to come before this meeting, it was adjourned at 8:25 p.m.

Respectfully submitted.

Paul Newlin, Acting Clerk