

**Board of Selectmen
Minutes
June 30, 2010
Whately Elementary School
6:38 p.m.**

Select Board Chair Paul Newlin called the regular meeting of the Board of Selectmen of the Town of Whately to order on Wednesday, June 30, 2010 at 6:38 p.m, immediately following Special Town Meeting. Also present were Selectmen Joyce Palmer Fortune and Jonathan Edwards, Town Administrator/Town Clerk Lynn Sibley, and Municipal Secretary Barbara Hancock. Regular and executive session minutes from the June 22nd meeting will be reviewed at the next meeting. Payroll and vendor warrants were reviewed and signed.

Town Administrator, Lynn Sibley: Senior Center – Juli Mason has agreed to serve as interim director for the Senior Center through August 1. Interviews are underway for the Director position, two held today. Recommendations will be made to the Oversight Committee for their consideration and interview process along with a meet and greet at the Senior Center, tentatively set for July 16th. The meet and greet will help candidates and seniors test their compatibility and give the candidates a hands-on view of the Center in operation. The Board expressed their appreciation to Juli Mason for serving as interim director. **Commonwealth Capital Application** has been submitted. **Regionalization** – Sunderland’s Town Administrator, Margaret Nartowicz is trying to set up a joint meeting between Sunderland, Whately, and South Deerfield to discuss any opportunities for the towns to share goods/services. The Board questioned whether Conway was included. Lynn is looking into that. Possible meeting dates include: July 13, 20, or 27th. **One-man, One-vote Meeting** – The other towns in the Frontier district are not receptive to Whately’s request to meet and discuss the one-man, one-vote change in the Frontier agreement. The other towns don’t have an issue with the new agreement and were under the impression that Whately favored this type of agreement in earlier discussions. Jonathan explained that he had made his opposition to this type of agreement known during the K-12 regionalization meetings. Lynn will speak with Whately’s Frontier School Committee Rep, Bill Smith to see if there is some misunderstanding surrounding Whately’s stand on school committee representation.

Town Clerk, Lynn Sibley: Dog Licenses – Fifteen dog owners still have not licensed their dogs. The late fee will increase to \$50 per dog, plus registration fees on July 15th. **Open Meeting Law** – The new regulations are set to go into effect on July 1st. Proposed legislation to delay implementation of the new regulations until Nov 1, failed. As of July 1st, the Attorney General’s Office will oversee these new regulations. They are expected to make the regulations available as soon as they are the governing agency. Lynn has been in contact with Robert Nasdor, head of the Division of Open Government (DOG) for the AG’s Office to discuss expected hardships the Town of Whately may face with some of the new regulations. He has tried to accommodate the limitations small towns face, such as 24 hours access to meeting notice postings. Lynn plans to attach a box to the outside of the Center School building that will hold a three-ring binder for Town’s meeting notices. Information will also be available on the website and cable. **Town Clerk Scholarship** – Lynn received a scholarship to attend Town Clerk School.

Highway Department: Lynn updated the Board. **Haydenville Rd Bridge** – Northern Construction has been notified of the Town’s decision to proceed as planned with the two-phase project. **Haydenville Rd** – Waiting to hear from MassDOT representatives regarding their suggestions for projects on Haydenville Road. There was some suggestion of Enhancement Funds that may be available especially since part of this project is to protect the reservoir. Williamsburg is still inclined to go with a joint project that encompasses the entire length of road. **Old State Rd** – No response. Lynn will contact Al Stegemann.

Chapter 61 Policy – Board will review the details at the next Selectmen’s meeting. Lynn has a question in to Rich Hubbard, Franklin Land Trust regarding a provision that calls for the Town to do the filing even if Whately passes on the right-of-first-refusal. That would cost the Town the filing fee.

Noise By-law – Lynn provided the Board with a draft copy of the proposed noise by-law. The draft was composed using provisions from state regulations and some from Hatfield’s by-law. Town Counsel has not reviewed the draft yet. There was some discussion as to whether the Board of Health or the Police Dept. would be the enforcement officer. In Whately, it might be more practical for the Police Dept to be able to issue non-criminal dispositions. State law authorizes the Board of Health to enforce nuisance violations. Lynn will talk with Jackie Duda, Health Agent to see how the state regulations that are already in place, may be helpful in resolving some current issues in town. There was some discussion about the level of sound noted in the bylaw and how that would apply to generally used equipment, such as a lawn mower. Jonathan voiced concerns that the bylaw may protect one group and may not consider the entire diverse community. Some of the provisions seem arbitrary.

New Business

Senior Center MOU, Final Copy – The Selectmen reviewed and signed the Memorandum of Understanding for the South County Senior Center. The agreement calls for a fiscal agent town to be designated by the Board of Oversight, currently Deerfield. It is an open agreement and will be reviewed annually for necessary changes or adjustments according to fluctuations in senior populations.

Park and Ride – A public hearing will be held on July 28th at Town Hall, 7pm to discuss the proposed park and ride station at the intersection of Rte 116 and 5 & 10 in Whately. The project has reached design phase and will be reviewed for the townspeople. Other than the preliminary design plans that Keith Bardwell received there has been no further information supplied to the town on this project.

Audit – Tom Scanlon’s accounting firm has finished the Town’s audit. The Selectmen reviewed and signed the summary letter (form letter).

Appointments – Juli Mason was appointed to the Council on Aging and part-time police officers were appointed as follows:

Special Police Officers - One year

James Purcell	Marc Bryden	Randall Williams
Heath Cummings	James Bernier	Paul Herbert
Scott Hutkoski	Robert Warger	Jeffrey Baker, Court officer
Edwin Zaniewski	Diane Wilder	Phillip Malone

Tag Sale – Harriet Zaikowski has requested a yearlong tag sale permit. Lynn felt the request was a valid tag sale request and the Selectmen had no objections. Jonathan suggested advertising the tag sales on the web/cable for those residents that obtain a permit.

Thank You Letter to Fred Bardwell for his years of service as a Cemetery Commissioner was reviewed and signed.

Property Insurance premium for the upcoming fiscal year is twice the increase over last year. Lynn explained that MIAA had estimated a similar rate increase as last year. However, the actual premiums increased 21% for property insurance and 12% for worker’s compensation insurance. Insurance costs will exceed the budget by approximately \$8,000. The Town’s MIAA representative is looking into the matter. The Town did have some claims against the policy last year. In the future, the Town may want to consider bidding the insurance each year in order to receive dollar figure quotes.

Fire Dept Roof – Bids for repairing the Fire Station Roof have gone out and are due July 29th.

Fuel Bids – Reviewed and accepted the fixed markup over tank car low bids, as follows: Heating Fuel Oil – Kieras at .145, Diesel – FL Roberts at .1389, Gasoline – FL Roberts at .1489, and Propane – Osterman at .45 over Selkirk.

Next Meeting – July 13th.

Transfer Station – There was a brief discussion regarding some problems at the transfer station: Non-recyclable items are being thrown in the recycle trailer, Recycling items are not being crushed, and some residents are being rude to the attendant. Cost to the Town increases if the transfer station is not used properly. Lynn explained that the Board of Health is implementing some educational efforts for residents using the transfer station and training for the new attendants. There was also some concern about non-employees helping out at the transfer station. Lynn will talk with Fran Fortino regarding the liability.

There being no further business to come before this meeting, it was adjourned at 8:05 p.m.

Respectfully submitted,

Jonathan Edwards, Clerk