

**Board of Selectmen
Minutes
May 11, 2010
Center School Office
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, May 11, 2010 at 7:00 p.m. Also present were Selectmen Joyce Palmer Fortune and Paul Newlin, Town Administrator/Town Clerk Lynn Sibley, and Municipal Secretary Barbara Hancock. Minutes from the April 27th and May 4th meetings were accepted as written. Payroll and vendor warrants were reviewed and signed.

Town Administrator, Lynn Sibley: State of Emergency – The Selectmen voted to lift the State of Emergency enacted last Tuesday during the heavy wind and rain storm. Many roads had been closed and electricity was out to parts of Town. The Selectmen declared the State of Emergency during an emergency meeting on Tuesday, May 4th. It was unclear at the time, the extent of damage and the length of time that roads would be closed and electricity would be out. As it turned out, WMECO was able to restore service and the Town Highway Dept. had roads reopened quickly. **Deerfield Urethane** – The Assessor's have estimated a 1% increase (\$5,000) in Deerfield Urethane's property value as a result of their \$500,000 clean room addition. Deerfield Urethane representatives are scheduled to attend the May 25th Selectmen's meeting to discuss their EDIP application. As the property value is not expected to increase significantly, the company will need to show how many new employees will be added. **Tag Sales** - Lynn reminded residents that permits are required for tag sales, \$10 per day or \$15 per weekend. **Memorial Day Ceremony** – Joyce and Jonathan will attend the Memorial Day parade and participate in the Memorial Day services that follow on the Town Common. **Chapter 61 Policy** – The policy is still being considered by the Selectmen and will be brought forward in an upcoming meeting. **Capital Stabilization Fund** – Lynn plans to compose an article for the next edition of the Scoop explaining the Capital Stabilization Fund, why it was initiated and how it will spread capital spending out more evenly for taxpayers. Joyce suggested a forum be held, perhaps organized by the Grange, to inform residents. It could then be broadcast on Ch 15. There may be a group of residents interested in forming a ballot committee to campaign for the Fund. **Seimens Energy Audit** – The report received recently, is not cost neutral. Details discussed later in the meeting. **Frontier Commencement** – The Selectmen received invitations to Frontier's Class Night on June 2 and Graduation on June 4th. **Conway Rd Grant** – Whately received a grant to replace a culvert on Conway Rd. The grant will coordinate well with the Town's paving project in that same area saving time, effort, and money. **Assistance to Firefighters' Grant** – Whately's \$400,000 grant application was not selected. Lynn and John Hannum will apply again next time. **Race to the Top** – Whately School Committee Chair, Nat Fortune sent a letter to the Selectmen explaining the Committee's reasoning for not participating in the program. The Committee felt that Whately would lose local control without any compensation. Jonathan argued that merit pay for teachers ultimately benefits students.

Town Clerk, Lynn Sibley: Special Elections Reimbursement – Lynn documented \$1700 in costs associated with the special elections held to fill the vacant Senate seat. State funds reimbursed Whately for three hours immediately following the elections and recently the remaining \$1400 was received.

7:15 PM John Hannum, Fire Chief appeared before the Board to discuss several issues.

Amherst Trucking located on Egypt Rd is putting an addition on their building. There has been an issue with interpreting the statute that requires a sprinkler system for an addition of this size, if water is 'available'. A 1-inch water main services the property but is not large enough for a sprinkler system. The nearest available 6-inch main requires Amherst Trucking to cross Route 5 & 10 and two other properties to gain access. The Fire Marshal felt that the statute should be enforced because adequate water is 'available'. But Town Counsel is of the opinion that water is not 'legally or readily available'. In addition,

Mass Highway has a moratorium on road cuts in that area. As a result of Town Counsel's opinion, John decided to issue an exemption and the issue has been resolved.

Nourse Farm's Pile of Plastic – John is concerned that a huge pile of plastic on property owned by Nourse farms on Long Plain Road poses a significant fire hazard. The plastic is used to cover plants after they have been fumigated. The plastic is then removed and discarded. It is not reusable and is apparently difficult to recycle because it is so dirty. John circulated photos of the pile, estimated to be the size of a football field and 20 feet high. According to John, DEP and the Fire Marshal's office are both of the opinion that the pile should be removed. The Dept of Recreation and Conservation would require a fire barrier be created surrounding the pile. A pile of this nature over 2500 sq ft requires a permit from the fire chief. The Selectmen encouraged John to discuss his concerns with Mr. Nourse and try to come up with a resolution.

Goulet Trucking currently has a permit to store diesel fuel on the property. They want to add four mobile diesel tanks in excess of 15,000 gallons, exceeding the amount the fire chief can permit. Goulet Trucking will have to apply to alter their permit with the Town. The application process will include a hearing on the matter.

Police Chief, Jim Sevigne appeared before the Board to update them on recent police department activity. **New Officers** – The two newest officers have completed their training and have been out patrolling. **Painting Building** – Plan to assemble some volunteers and paint the outside of the police station soon. **Damaged Gutter** – There is a gutter that needs to be replaced so water does not drain onto the foundation. Discussed whether it should be removed or replaced. **Activity** – Jim outlined an increase in all areas over last year: Calls up from 70 to 114, Arrests are up, Citations up to 260 from 180 last year, online and credit card thefts are increasing. There haven't been any break-ins this year. The increase in activity may be due to zealous new officers on patrol. Paul asked that Williamsburg Rd be patrolled on Fri and Sat evenings because there is evidence of drinking in the area. **Blue Police Car** – The blue police car is barely drivable. Parts have been removed to repair the other cruiser and it is no longer reliable. Parking it as a decoy is problematic because someone would need transportation from the location and Jim is not convinced that a parked cruiser is a speed deterrent. Joyce suggested Jim submit an article in the Scoop reminding residents to obey the speed limits in town. **State Rd Barn** that was damaged in the windstorm last week is in the process of being dismantled by its owner. **Update** – Jim is waiting for his physician to approve his return to work.

Al and Judith Targhetta, 172 Long Plain Rd – The Targhettas appeared before the Selectmen to discuss a problem they have had with wind blown dirt blowing across from the surrounding farms onto their property. Last week's wind storm covered their house in mud. Mr. Targhetta circulated some photos of his house following the storm that showed a significant amount of mud stuck to his house, windows, and porch furniture. This has happened every year at some point, but this year they had just cleaned the house in preparation for a weekend party. Mr. Targhetta suggested an ordinance that would require farmers to water or treat their fields to reduce the amount of blowing dirt. Such an ordinance would require a town meeting vote by residents. The Selectmen suggested that Mr Targhetta seek the help of the Ag Commission but Mr. Targhetta would rather the Selectmen speak to the Ag Comm on his behalf. Lynn will invite Tim Nourse or Bill Obear to the next Selectmen's meeting.

Siemens Energy Audit – Nat Fortune, Energy Committee member and School Committee Chair was present to listen in on the review of the Investment Grade Audit compiled by Siemens. Lynn explained that she spoke with the Siemens representative, Roland Butzke about the performance review (handout). The project costs total \$300,000 with an annual savings of \$16,000 for 17 years. Total payback with borrowing costs included, \$510,000. Therefore, there are costs that are not recouped in energy savings. The projects focus on lighting and building envelope improvements. The projects also include a new energy management system that would monitor energy efficiency on a continual basis at the school, \$150,000. Many questions were unanswered in the energy report. Lynn will invite Roland Butzke to meet

with the Selectmen and/or the Energy Committee to better explain the details of the projects and why the projects were limited to lighting and building envelope upgrades.

Highway Department: Lynn updated the Board. **Haydenville Rd Bridge** – The contract was awarded to the lowest bidder. They were given 800 days to complete the project. Pre-construction hearings will need to be scheduled delaying the startup for a couple of months. Lynn will contact Mass Highway to inquire why the company was given 800 days to complete the project and contact the company to obtain their schedule for the project.

New Business

Recreation Commission has a spending limit on their revolving account of \$10,000 per fiscal year. They have overspent that amount and a number of bills are being held for payment until July 1st. The Commission has since been informed of their error and restrictions on spending have been explained. There was a discussion regarding parent, coach, and commission members' conduct and policies regarding team and coach selections. It was recommended by the Board, that the Commission adopt some policies or a code of conduct and procedures for violations to protect themselves, sport participants and the Town. Jonathan will provide some samples of code of conduct policies. It was recommended that the policy include a drug and alcohol section.

Comcast Letter was received regarding the most current changes. Standard dvr's will no longer be issued. Those in service already, will continue to operate. New issue dvr's will all be high-definition.

Surplus Property – The Highway Department has two items they would like to put out for bid: the grader and a unique tree that has been cut down whole. The Selectmen voted the grader and tree as surplus property. Bids will be sought for both, with a minimum bid established for the grader.

Election Warrant – The Selectmen reviewed and signed the town election warrant.

Next Meeting, May 25th – Superintendent of Schools, Regina Nash and Counsel for the school, Donna McNichol will appear before the Board to discuss the Frontier Regional "one-man, one-vote" policy. And representatives from Deerfield Urethane will appear to discuss their TIF application.

June Meeting Schedule – The Selectmen agreed to cancel their June 8th meeting because of Town Elections, and will meet June 15th and June 29th.

Municipal Relief Act - There was a short discussion about the minimal impact that the Municipal Relief Act will have on Whately.

There being no further business to come before this meeting, it was adjourned at 9:12 p.m.

Respectfully submitted,

Joyce Palmer Fortune, Clerk