

**Selectboard  
Meeting Minutes  
September 26, 2023  
Town Offices  
Hybrid Session via Zoom  
6:00 pm**

The open session of the Selectboard of the Town of Whately was called to order on September 26, 2023, at 6:01 pm by Chairperson Fred Baron. Also present were Selectboard members Joyce Palmer Fortune and Julie Waggoner. Town Administrator Brian Domina and Administrative Assistant Jessica Murphy were present. Historical Commission Chair Donna Wiley (Via Zoom), Planning Board member Judy Markland (via Zoom), Whately Historical Society member Neal Abraham (Via Zoom), and Benjamin Coyle from Bacon Wilson P.C. (via Zoom) were present.

**1. Meeting Minutes: Review and vote whether to approve the meeting minutes from September 12, 2023**

Julie made a motion to accept the minutes from September 12, 2023. Fred Seconded. All in Favor. Fred-yes, Joyce-yes, Julie-yes

**2. Vendor & Payroll Warrants: Review past vendor and payroll warrants**

No Comments

**3. Public Comment: Listen to comments from the public related to items not listed on the agenda**

Joyce shared that a resident inquired about installing a stop or yield sign at the intersection of Christian Lane and Chestnut Plain Road, heading North. Joyce suggested reaching out to Keith Bardwell to discuss if a stop or yield sign was ever put in that location previously.

**4. Public Hearing:**

**a. To consider a request for a transfer of the Annual Innholder Alcoholic Beverages License from Kevin Kloc to Stephen Kloc, Inc. to be exercised on the premises at 193 Chestnut Plain Road, Whately, MA**

Brian read the notice of public hearing. The Selectboard opened the public hearing at 6:06 pm and asked the applicant to explain the request. The Board heard from Attorney Coyle about the proposed transfer of the liquor license. Attorney Coyle indicated that the transfer was due to a change in the ownership of the business and that no operational changes were being made. The public hearing was closed at 6:08 pm. Joyce made a motion to approve the request for transfer of the Annual Innholder Alcoholic Beverages License from Kevin Kloc to Stephen Kloc, Inc. Julie Seconded. All in Favor. Fred-yes, Joyce-yes, Julie-yes

## **5. COVID19:**

Tests are available at the Town Offices, Library, and Police Station for free for residents.

## **6. Old Business:**

### **a. To review and discuss the draft Request for Proposals (RFP) for the sale and restoration of the Whately Center School**

Brian shared that the Town Counsel provided a purchase and sale agreement and a land development agreement (LDA). Brian recommends that the LDA not be included in the RFP due to its redundancy with the historic preservation restriction which will protect the historic integrity of the building and require that the building be kept in good condition. A survey of the property will need to be completed to confirm if the milk bottle is in the Town's right of way. If it is, an easement will be necessary. Neal Abraham suggested referencing the milk bottle in the RFP regardless of the survey being completed. Donna Wiley noted that there is documentation from 1995 of the installation of the milk bottle but no evidence of a formal agreement between the Town and Historical Society. Brian will ask Town Counsel to have the draft right of first refusal by the next meeting and reach out to land surveyors to get a survey completed.

### **b. To discuss and vote whether to approve the new lease for SCEMS to occupy its current location owned by the Town of Deerfield**

Brian shared with the Board the proposed lease. The SCEMS Board of Oversight will be asked for a recommendation before the Selectboard votes.

## **7. New Business**

### **a. To review, discuss and vote whether to send a comment letter to the Department of Public Utilities regarding its proposed "guidelines" for municipal aggregation programs**

Brian shared with the Board the Department of Public Utilities proposed solutions to minimize the time it takes to review and approve aggregation plans. These solutions include standardizing the review process and plans, setting schedules and deadlines. Brian believes this will allow for a quicker review by the DPU but comes with the loss of flexibility over plan design and loss of municipal control. Brian also shared with the Board a summary of the proposed legislation H.3852 that also seeks to address the lengthy review problem of municipal aggregation plans. The proposed legislation seeks to streamline the DPU review process by reducing aspects of the plans that DPU needs to review, thereby increasing local control over the plans subject to all necessary consumer protections.

Fred made a motion to send a comment letter to the Department of Public Utilities regarding its proposed guidelines for municipal aggregation programs and to sign on to the support letter in favor of H.3852. Julie Seconds. All in Favor. Roll Call Vote: Fred-yes, Joyce-yes, Julie-yes.

**b. To review and sign loan documents for the remaining amount owed by the Water Department for the water merger project**

Brian shared that the winning bidder was Greenfield Cooperative at 4.65%

Julie moves to approve the loan documents from Greenfield Cooperative Bank for \$150,000 at 4.65% for 6 months to be paid back with Water Department Enterprise Funds. Joyce Seconds. All in Favor. Roll Call Vote: Fred-yes, Joyce-yes, Julie-yes.

**c. To discuss winter maintenance plans for Town owned buildings and sidewalks**

Brian shared that he reached out to John Hannum along with JDR Builders, both of whom handled last year's winter maintenance. Brian noted that he has previously sought additional interest from others, however, there has been none. JDR Builders has confirmed their willingness to commit again this winter, at the same rate. Brian is still waiting for confirmation from John to solidify the agreements and plans to have them at the next meeting.

**d. To discuss storage space for the Whately Historical Society at the Town Offices**

Brian shared that Neal Abraham, on behalf of the Whately Historical Society (WHS), inquired about using the space in the back of the Town Offices for storage. Brian noted that there will be some challenges associated with using the space for storage of historic items, such as the lack of humidity control and there being a wet sprinkler system installed. Brian also noted that because the WHS is a private non-profit organization, CPA money might be available for any necessary modifications. Brian noted that WHS plans to explore other space options and will follow up at a later date.

**e. To appoint Jenny Morrison to the Board of Assessors until the next annual town election**

A motion was made to appoint Jenny Morrison to the Board of Assessors until the next annual Town election. All in Favor. Roll Call Vote: Fred-yes, Joyce-yes, Julie-yes.

**8. Selectboard Liaison Updates: Timely updates from the Selectboard members serving on other boards and committees**

Joyce shared that the South County Senior Center is looking into a new location in Sunderland.

Fred shared that he has a meeting set up with the School Superintendent to clarify which projects can be recommended for funding.

## **9. Town Administrator Updates: (Items likely to be discussed)**

### **Cannabis HCAs:**

Brian shared that he spoke with an attorney for Happy Feelings regarding the new Cannabis draft regulations and impact fees. Brian noted that Happy Feelings was interested in knowing where the Town stands with the regulations and will keep in contact when new information becomes available.

### **Past due invoices:**

Brian shared with the Board that the Town owes approximately \$3,000k to Cooley Dickinson for physicals and tests (Highway, Fire, Police, Transfer Station) dating back to 2021. Brian noted that the invoices were being sent to the Town's old P.O. Box and never forwarded or re-billed. Brian will plan to add the past due invoices to the agenda for the upcoming Special Town Meeting.

### **Personnel policies:**

Brian shared that he has not yet received the personnel policies but is hopeful to receive them early next week.

### **Town Hall windows:**

Brian shared that he has not been able to get in contact with the representative from Trulite but will reach back out for an update.

### **FY25 budget:**

Brian shared that he met with the Finance Committee chair regarding the FY25 budget process and compensation.

### **New town website:**

Brian noted that the town website is 6 years old and has not had any type of refresh done. Brian recommends creating a team to explore vendor options to implement a new website.

## **10. Items Not Anticipated**

Brian shared that Club Castaway was reopening on October 4 according to its owners.

## **11. Adjourn**

Motion to adjourn at 7:15 pm. Motion Seconded. All in Favor

**Next Meetings: October 10, 2023 & October 26, 2023**

**Documents:**

*Meeting Minutes, September 12, 2023*

*Vendor and Payroll Warrants, WP24-07*

*Application of Transfer of License; Whately Inn*

*SCEMS Lease Agreement*

*DPU Draft Guidelines/H3852*

*Letter from Neal Abraham*