

**Selectboard  
Meeting Minutes  
December 4, 2019  
Town Offices  
Open Session  
6:00 p.m.**

The open session of the Selectboard of the Town of Whately was called to order on December 4, 2019 at 6:00 p.m. by the Chairperson, Joyce Palmer-Fortune. Also present were Selectboard Member Frederick Orloski and Town Administrator Brian Domina.

**Review and vote on the meeting minutes of November 20, 2019**

The Board voted to approve the meeting minutes of November 20, 2019.

**Review past vendor and payroll warrants**

The Board had no comments or questions on past vendor and payroll warrants

**Comments from the public on items not listed on the agenda**

None

**Public Hearings:**

**Joint Petition from Verizon/Eversource to install utility poles and three (3) regulators on Long Plain Road (continued from October 30, 2019)** – Joyce explained that Eversource is still working with abutters on finding an acceptable location for the poles and regulators. Fred expressed his concern about the height of the poles being installed on the River Road installation. Joyce made a motion to continue the hearing until December 18, 2019 at 6:00 pm at the Whately Town Offices, 4 Sandy Lane. Fred seconded the motion. All in favor.

**New Business:**

**To appoint Bill Orloski to the Council on Aging:** Joyce made a motion to appoint Bill Orloski to the Whately Council on Aging. Fred seconded the motion. All in favor.

**To discuss and vote to renew the following classes of licenses for calendar year 2020:** Joyce made a motion to approve the following licenses for the following establishments pending the receipt of the licensing fee and appropriate paperwork. Fred seconded the motion. All in favor.

**Whately Inn:** Inn Holder - All Alcohol, Common Victuallers and Inn Holders

**Circle K:** Retail Package Goods Store - Wine, Malt

**Muffins:** Retail, Package Goods Store - All Alcohol, Common Victuallers

**Whately Diner, NEC OPCO:** Retail, On-Premise - Wine, Malt, Automatic Amusement Devices (4), Common Victuallers

**Northampton Coop Auction:** Common Victuallers

**Toms Long Dog & Grill:** Common Victuallers

**Orchard Trailers:** Class I Second Hand Vehicle Sales

**Whately Vehicle Service:** Class I Second Hand Vehicle Sales

**Zononi's:** Class II Second Hand Vehicle Sales

**1 Call Does It All:** Class II Second Hand Vehicle Sales

**Whately Recreation Department:** Common Victuallers

The Board deferred taking any action on the licenses to Club Castaways until the next meeting.

### **Old Business:**

**To discuss the status of improvements to Club Castaways:** Nicholas Spagnola (Club Castaways) updated the Board as to the progress made by the establishment towards constructing the masonry wall. Nick informed the Board that a site visit was held with the Conservation Commission Chairperson and that he has signed off on the building permit. Nick also told the Board that there isn't a property line setback issue as previously thought and that the Building Inspector has requested building plans prepared and stamped by an engineer.

Joyce stated that she is hearing from residents who are frustrated that the Board is granting extensions when it doesn't seem like the licensees are paying attention to the conditions of the licenses. Fred asked Nick whether he had contacted any contractor yet. Nick said that he was waiting for the plans to be completed, but has talked with some contractors. Nick informed the Board that an engineer has been hired to draw up the plans and submit them to the Building Inspector. The schedule, emailed to the Board prior to the meeting, shows a proposed completion date of January 14, 2020. Nick requested that the Board not shut down the establishment and provide them the time laid out in the schedule to complete the wall. Fred suggested that allowing four weeks for construction in the proposed schedule is too long.

Paul Antaya (Resident) suggested that the Board allow the extension based on the schedule submitted and that the Board set definite benchmarks and give them a chance to meet them. If they can't meet them then there would be consequences.

Nick requested that the Board grant another extension based on the schedule submitted.

Joyce stated she is not willing to consider any extensions beyond the next Selectboard meeting (12/18/19) and that if no progress is being made then she is very unlikely to support any future extensions to operate before the wall is completed. Fred stated that he is in favor granting an extension until January 14, 2020 as laid out in the schedule. The Board further discussed whether the next meeting date or January 14, 2020 was an appropriate deadline.

Joyce made a motion to extend the time to complete the masonry wall to the next Selectboard meeting (12/18/19) on the condition that no persons be allowed to use the rear break area. Fred seconded the motion. All in favor.

Joyce and Fred both requested that the engineered building plans requested by the Building Inspector be submitted to the Building Inspector prior to the Board's next meeting on December 18, 2019. If the plans are submitted to the Building Inspector by that date then the Board will consider a request from the licensee for another extension to operate without the wall being constructed.

### **Public Hearings:**

**Tax classification hearing for fiscal year 2020:** Brian read aloud the tax classification hearing notice that was published in the Greenfield Recorder on Friday, November 29, 2019. Joyce opened the public hearing at 6:36 pm. The Board discussed the pros and cons of a split or uniform tax rate and the potential exemptions that might be adopted. Joyce stated that the Town has never adopted a split tax rate and has never adopted any of the exemptions. Fred confirmed that the Board of Assessors recommends that the Board adopt a uniform tax rate with no exemptions. Joyce stated that unless there is a sound reason to deviate from the past practice then the Board should continue with that position. Paul Antaya (Finance Committee – Chairperson) suggests that the choice is about fairness. The uniform tax rate appears fair in that every person pays the same tax rate and that adopting a split tax rate would need a sufficient justification. The public hearing was closed. Joyce made a motion to adopt a single tax rate with no exemptions. Fred seconded the motion. All in favor.

Fred suggested that the Selectboard and Finance Committee should consider whether it makes sense in future fiscal years to keep contributing Free Cash to offset the tax rate. Paul Antaya suggested that the Finance Committee will be looking into this. Paul Antaya also mentioned that the Finance Committee is interested in learning about the usage of the South County Senior Center as part of the budget planning process for next fiscal year.

### **Town Administrator Updates**

Brian informed the Board about his concerns about the expanding use of the Town Offices by the current tenant. The use appears to be moving beyond just storage, with employees here more often and with desks. One of the bigger concerns is an increase in utility costs paid by the Town. The lease will need to be renegotiated in the next few months so it will be addressed as part of those discussions.

Brian reminded the Board of a recycling meeting to be held at the FRCOG on December 11, 2019

Brian provided the Board with a brief summary of the solar and zoning meeting held the night before. Brian told the Board that he anticipates the Planning Board will develop some zoning amendments to address some of the issues discussed.

Brian reminded the Board of the Chestnut Plain Road Sidewalk Plans Open House scheduled for December 11, 2019 from 5:30 pm to 7:30 pm.

Brian informed the Board that the Town is still waiting on DPU to take action on the proposed municipal electricity aggregation plan.

Brian updated the Board on the Water Merger project and suggested that the engineer hired by the Water Commissioners needs to begin the permitting process.

Brian informed the Board that the historic town safe restoration project has been completed.

Brian informed the Board of a request by the Western Massachusetts Governor's Office to schedule a meeting. Brian will setup a doodle poll for the Board to respond to and will schedule the meeting accordingly.

Don Bates (Police Sergeant) informed the Board that the Santa Parade for this year will take place on December 21, 2019 with the planned route and approximate times advertised on social media.

The meeting was adjourned 7:54 pm

Respectfully submitted,

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Brian Domina, Town Administrator

#### **Document List on File in the Selectboard Office**

Meeting Minutes (11/20/19)

Vendor/Payroll Warrant Reports – (11/25/19)

Joint Verizon/Eversource Petition for Long Plain Road dated October 11, 2019

Email from Brian Domina to Michael Rosenberg dated November 26, 2019

Legal Notice – Town of Whatley – Tax Classification Hearing

Draft – Tax Recapitulation Worksheet Fiscal Year 2020

Draft – Classification – Tax Allocation Worksheet Fiscal Year 2020

Excerpt – Finance Committee Handbook – Section 4.0 Tax Policy Decisions

Email from Julius Sokol to Brian Domina dated December 3, 2019

Email from Julius Sokol to Brian Domina dated December 4, 2019 with proposed schedule

Email from Theresa Billiel to Selectboard dated December 2, 2019

Email from Heather Ciaglo to Brian Domina dated December 2, 2019