

**Selectboard
Meeting Minutes
March 31, 2021
Town Offices
Open Session via Zoom
6:00 p.m.**

The open session of the Selectboard of the Town of Whately was called to order on March 31, 2021 at 6:03 p.m. by the Chairperson, Fred Orloski. Also present via Zoom was Selectboard Members Joyce Palmer-Fortune, Jonathan Edwards, Town Administrator Brian Domina, and Administrative Assistant Amy Schrader.

Review and vote on the meeting minutes of March 10, 2021.

The Board voted to approve the meeting minutes of March 10, 2021.

Roll call vote: Fred – yes and Joyce – yes.

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

Scheduled Appointments:

Lynn Sibley (Treasurer/Collector, Town Clerk) to discuss (1) the election to be held on June 8, 2021, (2) for the Board to sign loan documents for the Town Hall Historic Rehabilitation project, and (3) for the Board to consider setting the date and location of the Annual Town Meeting

Lynn Sibley (Treasurer/Collector, Town Clerk) virtually appeared before the Board to discuss the Annual Town election scheduled for June 8, 2021. Lynn requested that the Board approve the use of the Town Hall for the Annual Town Election on June 8, 2021. Lynn discussed the Annual Town Election early voting options with specific attention to early voting hours, voting location, early voting by mail, Whately Scoop deadline, and previous early voting results. No decision was made at this time regarding in-person early voting. After a brief discussion, a motion was made to approve the use of the Town Hall for the election on June 8, 2021 as scheduled. Motion was seconded. All in favor. Roll call vote: Joyce – yes, Jonathan – yes, and Fred – yes.

Lynn Sibley (Treasurer/Collector) virtually appeared before the Board to discuss the Town Hall Historic rehabilitation project with specific attention to loan terms, interest rates, and Greenfield Cooperative Bank's bid. The Selectboard is being asked to re-issue the note for \$154,294. A motion was made to approve Greenfield Cooperative Bank's bid and to issue the note. Motion was seconded. All in favor. Roll call vote: Joyce – yes, Fred – yes, and Jonathan – yes.

Lynn Sibley (Town Clerk) and Brian (Town Administrator) virtually appeared before the Board to discuss considering setting a date and location for the Annual Town Meeting. Brian suggested a potential meeting date of June 15, 2021 with a tentative rain date of June 22, 2021 and June 29, 2021. The Board had a brief discussion regarding potential meeting locations with specific attention to COVID19 outdoor/indoor gathering restrictions and the potential use of the Whately Elementary School. After a brief discussion, a motion was made to hold the Annual Town Meeting on June 15, 2021. Motion was seconded. All in favor. Roll call vote:

Joyce – yes, Jonathan – yes, and Fred – yes.

(6:15) John Hannum (Fire Chief) to discuss a proposal by Berkshire Gas to flare off excess methane gas and for the Board to consider setting detail rates for the Fire Department

John Hannum (Fire Chief) virtually appeared before the Board to discuss a proposal by Berkshire Gas to flare off excess methane gas. Berkshire Gas requested that a fire engine be present. John informed the Board that this operation will take about 48 hours. This would start on Tuesday May 4, 2021 and end on Friday, May 7, 2021. John requested that the Board set a detail rate for the Fire Department volunteers. The Board had a brief discussion regarding the flare off process with specific attention to safety protocols, town employees detail protocol, and detail rate request. The Board requested that this information be posted on our website and a robo call goes out to residents. After a brief discussion, a motion was made to set the detail rate for the Fire Department as \$200 per hour for the engine and \$35 per hour per firefighter. Motion was seconded. All in favor. Roll call vote: Joyce – yes, Jonathan – yes, and Fred – yes.

(6:30) Jared Glanz-Berger (DMCTC) to discuss a proposed marijuana product manufacturing facility on River Road and to seek permission to hold a virtual Community Outreach Meeting

Jared Glanz-Berger (DMCTC) virtually appeared before the Board to discuss a proposed marijuana product manufacturing facility on River Road and to seek permission to hold a virtual Community Outreach Meeting. DMCTC is pursuing a marijuana product manufacturing facility at 3 River Road. Jared reviewed and discussed his community presentation with specific attention to the proposed processing facility, site/license approvals, proposed site location, existing site condition, site improvements, future permitting process, and manufacturing/security staff. The Board had a discussion regarding on-site inventory, inventory storage, traffic distribution concerns, monetary protocols, and appropriate notification to Hatfield. Jared stated that the distribution trucks will be unmarked and sporadically scheduled. Jared will notify Hatfield of DMCTC proposed manufacturing facility. After a brief discussion, a motion was made for DMCTC to move forward with their virtual Community Outreach Meeting scheduled for April 6, 2021 at 6:00 pm with an appropriate remote access for residents with remote access challenges. Motion was seconded. All in favor. Roll call vote: Joyce – yes, Fred -yes, and Jonathan – yes. The Board unanimously agreed to have Brian and Joyce begin preliminary discussion regarding a Host Community agreement with DMCTC.

(6:45) Michael Herbert & Stephen Herbert (Urban Grown) to negotiate the terms of Host Community Agreement for a proposed marijuana cultivation facility to be located on Route 5 immediately south of the Whately Diner (Map 32 Lot 6 – Whately Assessor's Map)

Stephen Herbert (Urban Grown) virtually appeared before the Board to negotiate the terms of the Host Community Agreement for a proposed marijuana cultivation facility to be located on Route 5 immediately south of the Whately Diner. Stephen informed the Board that he sent Brian a revised site plan and stated that they will be requesting that the Cannabis Control Commission increase their tier level. The Host Community Agreement, as written, allows up to 100,000 square feet of canopy area. Stephen reviewed and discussed his updated site plan sketch with specific attention to greenhouse areas, site location, and potential site access. Brian discussed site location concerns with specific attention to Conservation Commission involvement, wetland delineation, lot coverage requirement, appropriate setbacks, state highway curb cuts, perc tests for a septic system, and town water challenges. Stephen stated that the growing will be indoors. The Board had a brief discussion regarding the Host Community agreement language. Joyce informed the Board and Urban Grown that approving the Host Community Agreement does not mean that the Town approves of their site plan. This Host Community Agreement is similar to other cultivation Host Community agreements. Brian informed the Board that self-storage units are no longer part of this site plan. After much discussion, a motion was made to adopt and sign the Host Community Agreement as written. Motion was seconded. All in favor. Roll call vote: Joyce – yes, Fred – yes,

Jonathan – yes.

(7:00) Joe Piasecki to discuss proposed filming dates and potential traffic impacts

Joe Piasecki (Possible Productions, Inc.) virtually appeared before the Board to discuss proposed filming dates and potential traffic impacts. Joe Piasecki discussed the “Marble” showtime film with specific attention use of the Whately Diner and Routes 5 & 10. Filming would begin the first week of May and take place Monday through Friday. The Diner will be closed for the entire week, but the Truck Stop will remain open. Joe is half-way through applying for a MassDOT permit to request temporarily holding of traffic while they film their driving scene. Joe discussed the filming process with specific attention to vehicle filming, traffic concerns, and road construction impacts. Joe stated that he has been in touch with the Highway Department and Police Department regarding traffic concerns due to construction. Keith Bardwell (Highway and Building Superintendent) reached out to the project manager at Warner Brothers to inform them of this project. The appropriate traffic adjustments will be made based on the need specifically for emergency vehicles. Keith Bardwell (Highway and Building Superintendent) informed Joe that the flare off of excess methane gas at the Berkshire Gas facility could potentially interfere with filming (potential noise). Keith will reach-out to a Berkshire Gas representative to see what the flare off process entails and let Joe know. Joe requested renting the Dimaio property to use for truck/equipment storage and catering tents. Joe suggested leveling the lot location to accommodate for catering tents. Site location leveling will be minimal and involve light excavating. Joe will draft a proposal of potential minimal site work at the Dimaio property and send it to Brian. After much discussion, no decision was made at this time.

COVID19 State of Emergency

To review, discuss and consider modifications to the following: Directive on Town Employees Returning to Work During the COVID19 Pandemic; Order Closing Town Buildings to the Public Except by Appointment; Guidance on Holding Meetings for Town Departments, Boards, Committees, and Commissions and the Directive on Face Coverings; or any other issues related to COVID19.

Brian informed the Board that the State has eased their restrictions on indoor gathering limits. These limits do not apply to Town meetings. Brian informed the Board that there is one active case in town. Brian suggested that the Board begin preliminary discussion as to when is the appropriate time to fully re-opening Town buildings and resume in-person meeting. These changes will involve several different factors to be considered and planned for. The appropriate Department, Boards, and Committees will need to be involved in the re-opening process. The Board unanimously agreed to continue the current COVID19 orders.

Old Business:

To discuss the submission of an expression of interest to the One Stop for Community Growth program

Brian discussed the One Stop for Community Growth program ideas with specific attention to Exit 35 planning, affordable housing, future industrial land, and future town projects. Brian discussed with Wayne (Water Superintendent) potential Water Department project requests. The Board had a brief discussion regarding town water concerns, Center School/Blue School reuse, and future town growth projects. The Board had the following suggestions: to review FRCOG’s economic development report for potential projects, prioritizing the projects by urgency, Center School’s RFP, railroad water connection issue, and moving forward with Exit 35 planning. This program does not offer funding for staff. Brian and Jonathan are going to meet tomorrow to discuss the submission.

New Business

To discuss future plans for winter sidewalk maintenance and to discuss needed equipment if the maintenance is done by the town

Keith Bardwell (Highway and Building Superintendent) virtually appeared before the Board to discuss future plans for winter sidewalk maintenance and to discuss potential needed equipment. Keith discussed equipment needs with specific attention to potential equipment purchase from Williston. The Board had a brief discussion regarding previous snow removal expenses, equipment costs, and the logistics of snow removal. At this time, Brian and Keith will not move forward with this capital request. The Board suggested that Keith investigate the cost for just winter maintenance equipment and not multiple use equipment. After a brief discussion, the Board asked that Keith provide additional information later in the year.

To discuss whether to opt-out of the mosquito control spraying program conducted bySRMCB under M.G.L. c. 252 § 2A through calendar year 2021

Brian informed the Board that the Board of Health is looking at opt-out options and alternative mosquito management plans. They will not have a recommendation on this until the mid to end of April. Their preference now is to consider opting-out with an alternate plan. No decision was made at this time.

To appoint Allison Bell to the Whately Historical Commission

A motion was made to appoint Allison Bell to the Whately Historical Commission. Motion was seconded. All in favor. Roll call vote: Joyce – yes, Jonathan – yes, and Fred – yes.

To appoint Rick Adamcek as the Inspector of Animals

A motion was made to appoint Rick Adamcek as the Inspector of Animals. Motion was seconded. All in favor. Roll call vote: Joyce – yes, Jonathan – yes, and Fred – yes.

Town Administrator Updates:

Brian informed the Board that STM scheduled for April 10, 2021 location be moved to the cement patio outside of the Town Offices conference room. Logistically this will work better for electricity, parking, and handicap accessibility. A few chairs will be provided.

Brian informed the Board that the America Rescue Plan is the most recent federal stimulus package. The Town does not have a set amount yet, but the tentative amount is \$450,000. The Town does not know eligible uses but the text of the legislation states that it could be used for sewer, water, and broadband infrastructure. The Board will discuss how to invest these funds at a future meeting.

Brian informed the Board that there is legislation pending to give retirement credit to public employees who were essential workers during the COVID19 pandemic.

Brian reminded the Board and public that the 250th Motor Parade will be held on April 24, 2021.

Brian informed the Board that there is an advertisement out for a new custodian. Resumes will be reviewed the week of April 5, 2021. Job description and posting are available on the Town's website and at the Town Offices. The job posting was advertised in the Recorder.

Brian informed the Board that there is a need for a new playground at the Whately Elementary School. There is a park grant that the Town can apply for. Use of CPC funds were discussed at a recent Recreation Commission meeting. Jonathan strongly feels that communication between Departments, Boards, and Committees are critical to move this project forward.

Items Not Anticipated within forty-eight (48) hours of the meeting

The Board discussed the next two Selectboard meeting dates of April 14, 2021 and April 28, 2021. Fred suggested moving the April 28, 2021 to April 26, 2021 which is the Town's 250th anniversary date. Fred discussed his proposed agenda for April 26 with specific attention to the proclamation, speakers, parade video presentation, town's history, and town's future. Fred feels strongly that April 26, 2021- 250th anniversary date should be recognized. The Board had a lengthy discussion regarding previous anniversary agendas, potential Annual Town Meeting involvement, volunteers/town employee's participation concerns, and Historical Society/250th Committee participation. Fred stated that he will try to find out their meeting agendas for 50 and/or 100 years ago. Fred would like to still have the parade video presentation, proclamation, and 250th Committee participation. The Selectboard will be participating in the 250th Anniversary parade and Hatfield's 350th anniversary. The Board decided to rescheduled their April 28, 2021 meeting to April 26, 2021 to recognize the Town's 250th anniversary.

The meeting was adjourned 7:52pm

Respectfully submitted,

Brian Domina, Town Administrator

Next Meetings: April 14, 2021 and April 26, 2021

Document List Filed in the Selectboard Office

SB Meeting Minutes dated 03.10.2021.
Payroll Warrant WP21-20 dated 03.15.2021
Vendor Warrant W21-20 dated 03.15.2021
Payroll Warrant W21-20A dated 03.18.2021
Letter from John Hannum, Fire Chief, dated 03.28.2021
Email from AvanGrid dated 03.28.2021
Memorandum from Sanborn Head & Associates, Inc dated 03.19.2021
Email from Jared Glanz-Berger (DMCTC) dated 03.22.2021
Draft Host Community Agreement – Town of Whately and Urban Grown, Inc. dated 03.31.2021
Town of Whately Special Event Permit Application – Possible Productions, Inc. dated 03.18.2021
Email from K.P. Law, Inc. dated 03.29.2021
Community One Stop for Growth Expression of Interest dated 03.30.2021
New Capital Project Request form – Keith Bardwell, Highway and Building Superintendent, dated 02.10.2021
Town of Whately – Vendor Activity from 07.01.2020 through 06.30.2021 – Vendor John Hannum
Town of Whately – Vendor Activity from 07.01.2020 through 06.30.2021 – Vendor JDR Builders inc.
Email from DLS Alerts dated 03.19.2021

Email from Dale Kowacki dated 03.17.2021
Letter from Deerfield Selectboard dated 03.05.2021