

1. Meeting Minutes

**Selectboard
Meeting Minutes
February 23, 2022
Town Offices
Open Session via Zoom
6:00pm**

The open session of the Selectboard of the Town of Whately was called to order on February 23, 2022, at 6:02 pm by Chairperson Jonathan Edwards. Present via Zoom were Selectboard members Joyce Palmer Fortune and Fred Baron. Also present was Town Administrator Brian Domina, Assistant Town Administrator and Community Development Administrator Hannah Davis, Administrative Assistant Amy Lavallee. Also present was Chief of Police James Sevigne, Attorney Tom Lesser, HC Entertainment Representatives Alex Cwiakala, Harrison Bonner, and Paula Andrea.

Meeting Minutes: Review and vote to approve the meeting minutes from February 9, 2022

Motion made to approve the minutes from February 9, 2022. Motion seconded. All in favor. Roll call vote: Jonathan-yes, Fred-yes, Joyce-yes.

Vendor & Payroll Warrants: Review past vendor and payroll warrants

No comments

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

No comments

Public Hearings:

- a. To accept public comments and to consider the transfer of the general on premise all alcohol liquor license from Whately Investments, LLC (dba Club Castaways) to HC Entertainment, LLC at 226 State Road, Whately, MA
- b. To accept public comments and to consider the issuance of an entertainment license with adult entertainment to HC Entertainment, LCC at 226 State Road, Whately, MA

Jonathan explained to the group how the process will work for the public hearing. He explained that the entertainment license is non-transferable so the town will hold a hearing to issue a new license. Each Board member introduced themselves. Brian read the Legal Notice published in the Greenfield Recorder and sent to abutters within 500 feet of the establishment at 226 State Road, Whately. Attorney Lesser informed the Board that he is here representing HC Entertainment LLC. He explained to the Board that his clients plan to

meet the same conditions put forth by the Board for the previous license holders Whately Investments.

Motion made to open public hearing. Motion Seconded. All in Favor. Roll Call Vote:
Jonathan-yes, Joyce-yes, Fred-yes.

Representatives from HC Entertainment presented to the Board. Alex informed the Board that he will be in the role of general manager for the license and operate the business, Harrison will be fulfilling role of a general partner with renovation and construction responsibilities, and Paula will be the head bartender and charged with server trainings and running the bar. Alex discussed with the Board their backgrounds as it pertains to this request focusing mostly on their residential construction and management experience. Joyce asked the applicants to go into greater detail about their experience. Paula informed the Board that she has extensive experience in the restaurant and bar business as her family owns several establishments in East Boston. Paula also informed the Board that she has been training with Peter Dipiza (??) who is an experienced adult entertainment manager. The Board requested that Mr. Dipiza attend the next meeting to discuss the trainings being provided. The Board discussed concerns regarding the applicants' lack of experience in the adult entertainment industry and the difference in rural area venues versus city venues.

Chief Sevigne informed the Board that he has not been presented with a security plan and requested meeting with prospective buyers regarding a security plan. Alex and Paula discussed with the Board informally their thoughts and plans for security and training. The group will be working with Shawn Marando a security consultant. Jonathan requested that Mr. Marando attend the next hearing and that Mr. Marando meet with Chief Sevigne to discuss an acceptable security plan. Attorney Lesser read the previous conditions regarding security measures. Alex agreed to meet with Chief Sevigne along with his security consultant to develop a security plan for a future meeting.

Jonathan asked members of the public in attendance if they would like to speak.

Susan Baron (120 North Street) requested that previous conditions be posted for public viewing and voiced concern that those conditions were not fully met by the previous owners, also had concerns regarding current and future building maintenance. Jonathan suggested having it posted on the Town of Whately website.

Margaret Ryan (New Jersey resident but owning property at 242 State Road) voiced concerns regarding security, trespassing on her property, increased traffic, and the alleged past theft of items from her property from patrons of the establishment. Paula discussed installing a security camera and lighting around the premise to help deter any of that from continuing to happen.

Fred Orloski (154 Christian Lane) informed the Board that he was previously on the Selectboard during the initial licensing and that previous conditions for the establishment

were subject to change and that it was a work in progress that the previous owners fully cooperated with.

Attorney Lesser read to the Board his opinion of what the standard is for the Board to consider when considering the issuance of an entertainment license and that its protected by the First Amendment. Fred stated that the Board's questions and considerations are intended to obtain information to make an informed decision about whether those standards will be met.

The Board and presenters agreed to continue the hearing until April 13, 2022 at 6:05 pm. Motion made to continue the public hearing to April 13, 2022 at 6:05 pm via Zoom. Motion seconded. All in favor. Roll call vote: Jonathan-yes, Joyce-yes, Fred-yes. Brian clarified that the Zoom link for the continued hearing will be posted on the meeting agenda for the April 13, 2022 Selectboard meeting. Brian also clarified that the Board expects that Mr. Marando and Mr. Dipiza will attend the continued hearing on April 13, 2022 and that between now and then the applicants will meet with Chief Sevigne on the development of a security plan.

COVID19

- a. **To review existing COVID19 policies, including the consideration of re-opening town buildings to in-person public meetings with COVID19 safety protocols in place**

Brian informed the board the next Board of Health meeting is on March 1, 2022. The State of Massachusetts is allowing municipalities to continue meeting virtually through July. The Board agreed to wait to see what the BOH recommends before changing any policies.

Old Business:

- a. **To continue discussing potential projects to be funded through the Municipal Vulnerability Preparedness (MVP) grant program**

Hannah discussed with the Board that the expressions of interest are due for the MVP grant and Hannah is requesting a vote on which the Board would like to submit, either culverts or solar. The Board discussed the pros and cons of submitting the solar battery project versus the culvert project. A motion was made to recommend submitting the solar project with battery storage. Motion seconded. All in favor. Roll call vote: Jonathan-yes, Joyce-yes, Fred-yes.

New Business

- a. **To discuss submitting an application to the Shared Streets & Spaces grant program**

Hannah discussed with the Board a submission for a grant for 4 Fixit Bike Stations throughout Whately. The Board concurred with the request and asked Hannah to submit the application.

- b. **To consider the issuance of a seasonal liquor license for Quonquont Farms located at 9 North Street, Whately, MA**

A motion was made to issue the seasonal license to Quonquont Farms. Motion seconded. All in favor. Roll call vote: Jonathan-yes, Joyce-yes, Fred-yes

- c. **To accept the resignation of Cynthia Sanderson from the Board of Registrars and to appoint Josh Harris and Nathan Norris to the Board of Registrars**

Brian informed the Board that there was a spelling error on the agenda and that Nathan Norris- should be Nathan Nourse. A motion was made to accept the resignation of Cynthia Sanderson and to appoint Josh Harris and Nathan Nourse. Motion seconded. All in favor. Roll call vote: Jonathan-yes, Joyce-yes, Fred-yes.

- d. **To discuss and vote to change the date of the Annual Town Meeting to Tuesday May 24, 2022**

A motion was made to change the date of the Annual Town Meeting to May 24, 2022. Motion seconded. All in favor. Roll call vote: Jonathan-yes, Joyce-yes, Fred-yes.

- e. **To consider a letter from the Water Commissioners for the use of CLFRF monies for the purchase of a storage shed and generator.**

The Board discussed the request and noted that dollar amount wasn't provided. The Board requested that a specific dollar amount and more information be submitted for a future meeting.

Town Administrator Updates: Items likely to be discussed: next Special Town Meeting date (March 23, 2022); updates on grant funded projects

Brian informed the Board the STM will be on March 23, 2022. Brian informed the Board that the Town accepted the donation of 2 new glass case boards for postings from Malvern Panalytics and that he will be writing a thank you letter.

Items Not Anticipated:

Jonathan Edwards informed the Board that after serving the Town of Whately for 18 years that he will not be seeking re-election to the Selectboard in June 2022.

Adjourn

Motion to adjourn. Motion seconded. All in favor. Jonathan-yes, Joyce-yes, Fred-yes. Meeting adjourned at 7:54 pm.

Next Meetings: March 9, 2022, and March 30, 2022

Document List: