

**WHATELY
SELECTBOARD MEETING
MEETING MINUTES
APRIL 10, 2019
6:00 PM**

The open session of the Selectboard of the Town of Whately was called to order on April 10, 2019 at 6:01 p.m. by Selectboard Chair, Jonathan Edwards. Also, present were Selectboard members Fredrick Orloski, and Joyce Palmer-Fortune, Town Administrator Brian Domina and Administrative Assistant Amy Schrader.

The Board voted to approve the meeting minutes from March 13, 2019, March 27, 2019 and April 2, 2019.

Comments from the public:

No public comment

Public Hearing:

Eversource - petition for pole and wire locations on River Road – Nick Regal (Eversource Representative) stated that this petition was drafted by one of our contract writers. Eversource is looking to install two fully owned mid-span poles for a regulator platform for the Whately Renewables Solar project. The map shows the location of the poles and platform to be .53 miles from Straits Road and then .16 miles from Christian Lane.

Nick stated that the distance stated would be the distance to the nearest intersection but the poles themselves will be on River Road in between our poles 23/59 and 23/58. There will be two mid-span poles between those existing utility poles.

Jonathan questioned whether the proposed upgrade was in relation to the new solar farm? Nick stated that the 3 regulators will be installed in-line with the feed that feeds over to the Whately Renewables project. Jonathan stated that Whately Renewable Solar project is quite a distance from these poles.

Nick stated that these regulators, in a sense, clean the voltage, so it might be a little lower or a little higher so they take up the distance of the line loss because this location must be far away from a substation so by the time it gets to the solar site the voltage is probably a little low so these pick the voltage back up and make it a correct voltage for the solar fields.

The Board questioned whether there are any houses in the vicinity of the pole locations. Fred stated there are homes on the left side, but on the right side it's only farm land. Nick stated he hasn't visited the site but that would guarantee there are no houses there.

Jonathan expressed concern about the new poles and equipment that were installed on Christian Lane immediately adjacent to somebody's house. Jonathan expressed a similar concern here and what effect it might have on someone who wants to build in the future in that field.

Nick stated that he would have to see the site. Looking at sketch that I have here is a little different than the sketch you have. But the existing poles that are there are probably 250 feet apart so we're putting the pole roughly 125 to the center line and then 20 feet on both sides.

Jonathan stated that he thinks the lines should be underground and that it's not solar that is hurting the agricultural landscape of the town, it's the utility poles. Jonathan questioned why the poles need to be so close together?

Nick stated that this type of a structure is two 50-foot poles with a steel platform between them. What would hang on those are 3 regulator banks. It's too much weight to hang on an individual pole. That's why we need two poles with a platform between them and it's going to be 3 regulators on that.

Fred questioned why Eversource can't put this equipment on the poles that are going to be installed on the solar field site? On the three or four poles at the entrance to the solar farm?

Nick stated that this was determined by Eversource's engineers to be the best spot to put these in order to pick-up the multiple loss on that circuit. If the location is further south or further north it might not be enough to pick-up the voltage for that solar site.

Joyce questioned if Nick knew which lot the poles will be located in front of. Nick stated that he does not know what lot it will be in front of.

Jonathan questioned whether it is technologically possible to put these wires underground? Never mind cost for a second. Nick stated that if cost wasn't a factor, it could go underground – but the cost to put these undergrounds is astronomical.

Fred questioned if there is a similar installation like this around here. Nick stated that a similar installation is located on Route 116 in Sunderland across from the Goten restaurant.

Joyce expressed her frustration with pole hearings. She stated that the Selectboard rarely gets an accurate map and that whoever shows up doesn't know where the poles are going. I feel like you come in for a pole hearing, and it's probably not your fault, but you come in here and just expect us to rubber-stamp whatever you put in front of us and then go put the poles wherever you want too. That's my feeling, you can't even tell me what lot they're on. I don't know if you know where these are.

Nick stated I've seen the sticks in the field but I don't know which lots they're on. I don't know what your town process is but typically, pole hearing in most towns, are field checked by DPW Superintendent. Jonathan stated that the Highway Department Superintendent did not have problem with where the sticks are placed.

The Board decided that they would like to view the placement of the stacks for the potential new poles. Brian stated that the Whately Renewable Solar project has not broken ground yet. So, the urgency of having this in place can't be that great, but it would likely need to be in place when that project is connected.

A motion was made and seconded to continue this pole hearing until April 24th at 6:15 p.m. at the Whately Town Offices.

Scheduled Appointments:

Chip Kloc (Whately Inn) – Chip Kloc appeared before the Selectboard to discuss the parking lot situation at the Town Hall. Brian informed the Board that he received a request from the Friends of the Library to reserve the Town Hall parking lot for one of their scheduled events. A sandwich board sign was placed on the edge of the parking lot to reserve the parking for the event. The request for the sign was received two days before the event and Chip was contacted via email.

There was a brief discussion regarding the wording of the sign, parking lot capacity, and the previous, present, and future relationship between the Whately Inn and the Town. Chip Kloc stated that parking lot at the Whately Inn and the Town Hall, for years, have been treated as community parking lots for voting, town meetings, public events, etc. Jonathan stated that we're a community and that the Town benefits from the Whately Inn doing well and you will benefit from the Town Hall doing well.

Paul Newlin (resident) stated that there are a lot of different functions happening at the Town Hall, but for his event specifically he asked for the police department's assistance to give direction for where people should park. If Paul can use the Whately Inn's spots for his event then he will have more than enough parking and also asked some of his attendees to car pool. Paul is fine with parking being on a first come first serve basis.

The Board had a lengthy discussion regarding the Town Hall's handicap parking capacity, signs for current events, and access to parking for limited mobility attendees. Chief Sevigne stated that he has two concerns, Paul Newlin's event and the Annual Town Meeting are large events which will exceed the parking lot capacity which causes concern since the street lighting and the sidewalk conditions are poor. From a law enforcement perspective, he is concerned about getting people across the road safely.

Jonathan questioned how the Whately Inn handles patrons with limited mobility? Chip Kloc stated that he has never been had an issue, most of the time people will drop off their limited mobility passenger up front.

The Board would like to continue their ongoing positive relationship with the Whately Inn. Town Hall parking will be on a first come first serve basis. Chip Kloc stated that he would like to be involved with the sidewalk and crosswalk constructions on Chestnut Plain Road. Brian stated he will keep him involved via email and the sidewalk reconstruction design phase will begin in May.

Lynn Sibley (Treasurer/Collector - Town Hall Historic Rehabilitation Project) –The Board voted to sign the loan closing documents for the re-issuance of the CPA-backed Town Hall debt. The original note was for \$400,000. The second note is for \$265,000 because the CPC has paid off the difference between the two notes plus interest.

Jim Sevigne (Police Chief) — Brian informed the Board that they reviewed the Police Chief's staffing request about two or three meetings ago and requested additional information from the Chief to

support his request. The Police Chief drafted a letter with additional information for the Board. Brian stated that the increase in salary should probably happen in the context of an amendment to the employment agreement.

Brian stated that he needs to put together a budget for FY20 and if the staffing levels or the salary is going to change, then it would be useful to have those numbers in the budget.

Jonathan stated that he thinks that the conversation about staffing is a necessary conversation to have here, but that the salary increase should be a discussion during an Executive Session. The Selectboard decided to hold an Executive Session on Tuesday April 16th at 4:00pm at the Town Offices to discuss Chief Sevigne's salary increase request.

The Board continued its discussion regarding the Police Chief's request for an additional Full-Time Police Officer position with specific attention to the reduction of the current part-time Police Officers hours to compensate for the additional Full-time Officer. Chief Sevigne stated that reducing the part-time police officers' hours would not help his current situation. His request is for an additional full-time Police Officer to work alongside him on weekdays since majority of his 40-hour work week is spent at meetings, trainings or on administrative duties. Chief Sevigne gave the Board an example of his time spent driving to Maynard, MA to pick-up the Department's breathalyzer machine. This trip was 3 hours round trip which takes away from his regular police duties. The Board questioned how far in advance does the Chief know when he will be conducting these types of trips, trainings or meeting and why a part time police officer can't take these scheduled trips? The Board questioned why the Chief doesn't schedule a part-time officer when he is going to be out of town on other duties? Chief Sevigne stated that he doesn't have money in his budget for that and that the additional Police Officer will provide the Town with police coverage during that time

Fred stated that he is not comfortable making this decision without having the information previously requested and doesn't feel that the town needs to add more police department staff to ramp up for marijuana businesses that might not even happen. The Board stated that since it didn't receive the previous requested information from the Police Chief that it would be hard to justify recommending this position to the Finance Committee.

The Board questioned the Police Departments call volume, the scope of the Chief's administrative duties, the need for an administrative assistant, and current Police Department staff schedule. The Board would like the additional information they requested previously; comparable surrounding towns police department staffing levels (specifically the amount of full-time and part-time officers), what type of administrative duties are given to the administrative assistant, call volume from adjacent comparable towns, and the average response time for the State Police vs. the Whately Police Department. Chief Sevigne stated that the response time can range widely for the State Police and the Whately Police Department is around 7 minutes. Joyce stated that one important function of the Whately Police Department is its community policing.

The Board decided that they would entertain the idea of an additional full-time police officer in the future, but not for the FY 20 budget season. Joyce suggested that making this into small steps would be better especially being so close to the budget season closing.

Jonathan asked if there is a motion to recommend a different staffing budget that what is current recommended in the budget? Joyce made a motion to request a modest increase (\$4,000) which translates to approximately 4 hours per week to the part time officer budget so Jim has some flexibility for coverage when Jim has a high administrative load or a trip scheduled. Motion was seconded. Joyce, yes – Jonathan, yes. Fred - opposed. Fred stated that the 4 hours a week should be something that the Chief can manage. Vote carries 2 to 1.

Old Business

Memorandum of Agreement –an agreement between the Selectboard and the Whately Public Employee Committee pursuant to M.G.L. c. 32B §§ 21-23 – Brian informed the Board that this Memorandum of Agreement is the final step in the MGL c. 32B process that will allow the town to change health insurance plans in accordance with the Trust's voted changes. This agreement sets forth how the Town will share the 25% savings with the subscribers. After meeting with the Public Employees Committee, it was decided by the Committee that it wanted to share the savings in proportion to plan costs. The Town will need to provide notification to all the subscribers by May 1st.

Poplar Hill Road Extension Layout – Brian informed the Board that they already voted an intent to layout this short extension of the road. Poplar Hill road will be extended about 300 feet. This will allow the Town to maintain the road. The Planning Board has met and has recommended that the Board layout the road as shown on the plan – the next step is for the Board to vote an Order to layout Poplar Hill Road as shown on the plan. Once the order has been adopted then the layout will need to be accepted at town meeting. The Town will also need to vote to acquire the necessary easements in the roadway (which are being donated) at the upcoming town meeting. Fred questioned if the additional road surface will affect Chapter 90 now or after it's completed? Brian stated once the easement is recorded then Chapter 90 will be affected. A motion was made and seconded to order the lay-out of Poplar Hill road as laid-out on the map and recommended by the Planning Board. All in Favor. The Board signed the Order.

New Business

Franklin Regional Council of Governments Cooperative Fuel Bids – Brian informed the Board that FRCOG put together a regional fuel bid program. The Town typically uses the regional bids for the purchase of gasoline only. Kieras (a local company) has always provided very competitive pricing for diesel and # 2 fuel oil compared to the regional bids. The Board had a brief discussion regarding fuel bids, FRCOG's program, and the Town's past bid results. The Board voted to participate in the Franklin Regional Council of Governments Cooperative Fuel Purchasing Program for gasoline only.

Community Compact - Brian informed the Board that Joe Markarian provided budget documents to the Finance Committee last year. Joe also provided the Town with sample financial policies that the Finance Committee may consider in the near future, which was beyond the scope of the project. To complete this project, it requires that the Selectboard vote to accept the budget tool. Brian stated that he feels FRCOG fulfilled its obligation. A motion was made and seconded to accept the work as completed. Vote was unanimous. All in Favor.

Energy Planning Technical Assistance - Brian informed the Board that he received an email from Alyssa Larose from FRCOG offering to assist the Town with renewable energy planning. The Board had a brief discussion regarding possible assistance with drafting an RFP or RFP model to try and participate in a unique type of funding mechanism, possible requests from NEXAMP for a reduced electricity rate, electric vehicle charging stations and the utility pole concerns that are affecting the rural character of the Town. The Board requested that Brian respond to the email indicating its request for assistance.

Traffic Counts – Brian informed the Board that FRCOG is soliciting requests from communities who are interested in having traffic counts done. Fred stated that he would like a traffic count on the intersection of State Road and Christian Lane. This is an appropriate time since this intersection is still on the high accident intersection list for Franklin County. Fred suggested that they look at the count from an automatic traffic recorder (ATR) for volume and class for each of the four legs of the intersection and for the intersections turning movements. Fred recommended a 7-day ATR count, which would likely be a 10- or 12-hour project during the day-time. Brian stated that Fred and himself will work together with Keith Bardwell, Highway Superintendent to make the request.

Town Administrator Employment Agreement – The Board received feedback from Town Counsel around 5:00 p.m. regarding the amendments to the Town Administrator’s contract. Joyce and Fred requested that Jonathan continue handling Brian’s contract negotiations. There is no need for an Executive Session. The Board decided to table this discussion until their next meeting on April 24, 2019.

Annual Town Meeting – April 30, 2019:

Brian informed the Board that they have the draft warrant articles, draft operating budgets, proposed capital projects, CPA funding proposals, other funding requests, zoning, Frontier capital plan and voter petitions. The official warrant will be signed next Wednesday at 6:00 p.m. Brian reviewed the Annual Town Meeting draft warrant articles. A brief discussion ensued regarding the draft warrant articles with specific attention to the Highway Department’s purchase of the Water Department’s pick-up truck, the Fire Stations siding repair, the Frontier Regional School District’s Capital Improvements Program – Debt Authorization, the Personal Property Tax Exemption, and the recycling contract. Brian informed the Board that the last article is a voter submitted petition. Brian informed the Board that there are some issues with the petition. The petition has the Town of Montague listed instead of the Town of Whately. The Board decided that it will treat the errors as not substantive and to list the petition as a warrant article.

Town Administrator Updates:

Brian informed the Board that the Town received a Letter from the Friends of Town Hall group officially donating the remaining audio-visual equipment at the Town Hall. The Board requested that Brian send a thank you letter to the Friends of Town Hall for the donation.

Brian informed the Board that in honor of Greenfield Savings Bank 150th anniversary they offered to plant an Elm tree in our Town. The Board recommended that Keith Bardwell (Highway Department Superintendent) decide where the tree should be planted.

Brian informed the Board that he received a report from the Franklin County Regional Housing Authority regarding the Town's housing rehabilitation loan funds balance.

Brian informed the Board that the manganese filtration project started last week and the filters are in the building. Brian stated that it should take probably 2 or 3 months for completion.

Items not anticipated within forty-eight (48) hours of the meeting. – none

Adjourn – A motion was made and seconded to adjourn at 8:46pm. All in Favor.

Next Meeting Dates: April 24, 2019 and May 8, 2019

Respectfully submitted,

Brian Domina, Town Administrator`

Document List on File in the Selectboard Office

Selectboard Meeting Minutes dated March 13, 2019

Selectboard Meeting Minutes dated March 27, 2019

Selectboard Meeting Minutes dated April 2, 2019

Eversource Petition for Pole and Wire Locations dated March 5th, 2019

Letter from Police Chief Sevigne dated April 9, 2019 RE: Full-time Officer and Salary Increase

Letter from Police Chief Sevigne dated January 28, 2019 RE: Salary Increase

Letter from Police Chief Sevigne dated January 24, 2019 RE: FY20 Request for additional Full-Time Police Officer

Memorandum of Agreement pursuant to 801 CMR 52.04(4) by and between the Town of Whately and The Whately Public Employee Committee dated April 4, 2019

Letter from Town Administrator, Brian Domina, to Whately's Planning Board dated March 29, 2019

Letter from Planning Board to Selectboard dated April 6, 2019

Order of Layout – Poplar Hill Road

Street Acceptance Plan of Land dated March 26, 2019

Letter from FRCOG dated March 6, 2019 - #2 Fuel Oil, Gasoline, and Diesel
Email from Phoebe Walker at FRCOG dated March 22, 2019
Email from Alyssa Larose at FRCOG dated April 4, 2019
Letter from Laurie Scarbrough at FRCOG dated April 1, 2019 – Traffic Counting
An Employment Agreement between the Town of Whately and the Town Administrator
FY20 draft warrant articles,
FY20 draft operating budgets
FY20 proposed capital projects
FY20 CPA funding proposals
FY20 other funding requests
FY20 zoning,
FY20 Frontier capital plan
Voter petitions
Letter from Whately Historical Society dated April 2, 2019
Invoice from Wassmann Audio Video Inc, dated December 28, 2018
Letter from Greenfield Savings Bank
Letter from HRA dated January 19, 2018