

**Selectboard
Meeting Minutes
August 21, 2019
Town Offices
Open Session
6:00pm**

The open session of the Selectboard of the Town of Whately was called to order on August 21, 2019 at 6:01 p.m. by the Vice Chair, Frederick Orloski. Also, present were Selectboard member, Jonathan Edwards, Town Administrator Brian Domina, and Administrative Assistant Amy Schrader.

The Board voted to approve the meeting minutes from July 31, 2019.

Review past vendor and payroll warrants – The Board reviewed the vendor and payroll warrants dated August 1, 2019 and August 15, 2019.

Comments from the public – No public comment

Scheduled Appointments

Paul Newlin (Watermelon Wednesdays) to request a waiver from the user fee for the Whately Town Hall for prior and future events – Paul Newlin appeared before the Board to request a waiver from the user fee for the Whately Town Hall. In exchange for a waiver or reduced fee, he would allow future users of the Town Hall use of his sound equipment. Paul stated that he's a one-person operation and a non-profit organization. The Board reviewed the e-mail from Town Hall Steward, Neal Abraham, regarding the available sound equipment. A lengthy discussion ensued regarding the available sound equipment, event fees, profits generated, equipment liability insurance, and appropriate user fees. Jonathan suggested that a user fee could be charged for the total hours of performance which is a 4-hour period (\$150.00) and the meeting room fee could be waived. Paul Antaya (Finance Committee Chair) stated that one of the selling points of the Town Hall renovation was that it would produce revenue for the Town, that being said, from a cultural perspective Watermelon Wednesdays is good for the town. After much discussion, the Board decided that Paul would be charged for the total hours of performance time and other related events will be reviewed on a case by case basis.

The Board questioned if Section 5.0, User Fees, of the Town Hall Building policy should be amended? Brian stated that Section 5.0 could be amended and that Paul is also seeking reimbursement for his April 20th concert. The Board decided to reduce the user fee for Paul's April 20th concert to \$150.00. A brief discussion ensued regarding Section 5.0 of the building policy, non-profit fees, umbrella liability insurance requirements, and town departments use of the building. Brian will propose language for

the Board to consider amending Section 5.0 and will further research the umbrella insurance liability requirement. A motion was made to reduce the Town Hall user fee to \$150.00 or the total hours of performance time for Watermelon Wednesday Concerts and any other related event will be reviewed on a case by case basis. Motion was seconded. All in favor.

Jim Sevigne (Chief of Police) to request the establishment and funding of a revolving account to pay police details on a timely basis – Chief Sevigne appeared before the Selectboard to discuss his proposal for setting up a revolving account to pay police details on a timely basis. Chief Sevigne explained the accounting process for police details, vendor payments delays, and inefficiencies of the process. A lengthy discussion ensued regarding the accounting process, financial burden on the Town, administrative fees collected (no more than 10%), vendor payments process, and the potential of uncollected vendor payments. Chief Sevigne stated that seven years ago, the Board decided to apply a \$10.00 late fee for detail payments that were not paid within 30 days. Since 2000, there has been \$1,500 of uncollected vendor payments. The amount proposed to seed the revolving account is \$20,000. The required police detail at Club Castaways is going increase the use of the detail account. Chris Kellogg (resident) questioned what the protocol is for other surrounding towns? Chief Sevigne stated that the majority of the surrounding towns have revolving accounts. The Board questioned the Town's legal liability for providing police details, where the seed money for the revolving account would come from, and the proposed amount for the revolving fund. Chief Sevigne stated that from a public safety perspective, not having a police detail would put the public safety at risk. Paul Antaya (Finance Committee Chair) stated that the money is not budgeted right now, but can be found if needed. After much discussion, the Board directed Chief Sevigne to proceed with his proposal and draft language for a warrant article for the next Special Town Meeting.

Old Business

Safe Restoration project – Brian informed the Board that the Historical Commission has asked the Board to table this discussion until the next Selectboard meeting on September 4, 2019.

Award the contract for the Herlihy Park Softball Field project – Brian informed the Board that the Town received 3 bids for the Herlihy Park Softball Field project. Brian stated that Morse Engineering and Construction Industries, LLC submitted the lowest bid. The Board had a brief discussion regarding the substantial monetary differences between the bids, Morse Engineering references, deadline requirements, town employee involvement, potential change orders, and the pre-construction meeting. Jonathan stated that Keith Bardwell (Highway and Building Superintendent) will be the Project Manager for this project. Brian informed the Board of the procurement process and the legal requirements to award projects. Brian stated that he is not overly concerned about the differences between the bid results. A motion was made to accept the bid from Morse Engineering and Construction Industries, LLC pending the completion of the pre-construction meeting. The Board authorized Brian to sign the contract and for Jonathan to approve any change orders. Motion was seconded. All in favor.

Order of Taking for the Poplar Hill Road extension and to consider sending a letter to Smith College seeking financial support for improvements to the road – Brian presented the Board with the Order of Taking for the Poplar Hill Road extension and a draft letter to Smith College seeking financial support for improvements to Poplar Hill Road. The Board signed the Order of Taking and the letter to Smith College.

The reuse of the Center School: review committee charge and combined list of desired skills for committee members – Brian read the Center School Committee's draft "charge" to the Board. Brian stated that Joyce Palmer-Fortune (Selectboard Chair) sent an e-mail to him suggesting that we soften the phrase "taking into account" because the Committee may not have all of the skills or knowledge to assess the listed considerations. A brief discussion ensued regarding the language change, combined list of desired skills for Committee members, potential Committee members, MassDevelopment insight, and possible assistance from FRCOG. The Board agreed to amend the draft charge language. The Board requested that the Committee charge be posted on the Town's website and that an article be written for the September Whately Scoop. The Board hopes to have Committee members identified for appointment at its September 25th meeting.

New Business

G.L. c. 90 project reimbursements to be submitted to MassDOT – The Board signed the G.L. c. 90 project reimbursement forms.

The Regional Kennel Agreement with the Franklin County Sheriff's Office – The Board signed an agreement with the Franklin County Sheriff's Office to participate in the regional dog kennel program for fiscal year 2020. Brian informed the Board that Rick Adamcek, Whately Animal Control Officer recommends the Board sign the agreement.

Town Administrator Updates

Brian informed the Board that he wants to keep the ADA self-evaluation plan progress and public comments as an agenda item. Brian scheduled an evaluation of the town's building facilities for August 28th. Participating in the evaluations will be Don Sluter, Keith Bardwell (Highway and Building Superintendent), Jim Ross, Larry Ashman, and Brian. There is a checklist that the Massachusetts Office of Disability recommends that municipalities use while going through the facilities. After completing the checklist, Brian will write the self-evaluation and transition plan that is required for submitting the municipal improvement grant. Brian briefly described the grant application requirements.

Brian informed the Board that last Friday the sale of the Castaways Lounge was completed. The owners have indicated that it will remain closed for renovation for approximately 30 days.

Brian informed the Board that the next round of Community Compact grants are available. Brian believes that the Town can apply again and he will check to see if the Town is eligible. The Town has one outstanding grant, which is the managing water systems assets grant (i.e. water merger). The Board will want to consider potential grant options at the next Selectboard meeting.

Brian informed the Board that there is an opportunity from the Umass Clean Energy Program called Reducing Municipal Vehicle Fuel Consumption in rural Massachusetts. They are looking for rural communities that want to participate in this program. Data would be collected by installing GPS devices in municipal vehicles to track fuel consumption then analyzed to figure out how to reduce fuel consumption. The Board recommended having conversations with the appropriate Department Heads to see if they would like to participate.

Brian informed the Board that he received a letter from Elizabeth Warren thanking the Town for contacting them.

Brian informed the Board that they were cc'd on a complaint that was filed with the Building Inspector from an abutter to the Yankee Candle plant at 102 Christian Lane. As is customary, the Building Inspector, as the Zoning Enforcement Officer, will investigate to ensure the zoning bylaws are being complied with.

Brian informed the Board that Amtrak will be starting a two-year pilot service called Valley Flyer. There will be 4 additional trains running between Springfield and Greenfield. This will be in addition to the existing freight and train traffic. There may also be additional empty trains operating at night depending on the next day's operations schedule. Brian asked that town residents be safe as the Amtrak trains will be traveling at a high rate of speed and to never drive around a gate. The Board requested that an article be written for the September Whately Scoop to inform Whately residents of the increase in train traffic.

Items not anticipated within forty-eight (48) hours of the meeting.

Adjourn – A motion was made to adjourn at 7:49 pm. Motion was seconded. All in favor.

Next Meeting Dates: September 4, 2019 and September 25, 2019.

Respectfully submitted,

Brian Domina, Town Administrator

Document List on File in the Selectboard Office

Selectboard Meeting Minutes dated 07/31/2019

Invoice Warrant Reports dated 08/19/2019 – Warrant W20-05

Invoice Warrant Reports dated 08/19/2019 – Warrant WP20-05

Invoice Warrant Reports dated 08/05/2019 – Warrant WP20-04

Invoice Warrant Reports dated 08/05/2019 – Warrant W20-04
Email from Paul Newlin dated 07/18/2019
Town Hall Building Policy – Section 5.0, User Fees
Email from Neal Abraham dated 08/21/2019
Letter from Whately's Chief of Police – James A. Sevigne Jr.
Administrative of the Government, Municipal Finance – Section 53C – Deposit and Expenditure of compensation for off-duty or special detail work; appropriation for special funds; fee.
Softball Field Construction at Herlihy Park – Bid results from Morse Engineering and Construction Inc. LLC.
Order of Taking of Public Way Easement – Poplar Hill Road
Letter to James W. Gray – Associate Vice President for Facilities & Operations RE: Poplar Hill Road Improvements
Email from Town Administrator, Brian Domina, dated 08/12/2019
Town of Whately: Center School – List of Desired Committee Member Skills
Agreement between the Town of Whately and Franklin County Sheriff's Office RE: Regional Dog Control Services
Letter from Karyn E. Polito dated 08/15/2019
Letter from Umass Clean Energy Extension
Invitation from Executive Office of Energy and Environmental Affairs Secretary Kathleen A. Theoharides
Letter from U.S. Senator, Elizabeth Warren, dated 07/30/2019
Letter from FRCOG, William Swasey, Facilities Director, dated 08/16/2019
Letter to Building Inspector, Jim Hawkins dated 08/12/2019
Letter from Department of Environmental Protection dated 08/16/2019