

**Selectboard  
Meeting Minutes  
January 29, 2020  
Town Offices  
Open Session  
6:00 p.m.**

The open session of the Selectboard of the Town of Whately was called to order on January 29, 2020 at 6:05 p.m. by the Chairperson, Joyce Palmer-Fortune. Also present were Selectboard Members Frederick Orloski and Jonathan Edwards, Town Administrator Brian Domina, and Administrative Assistant Amy Schrader.

**Review and vote on the meeting minutes of January 8, 2020.**

The Board voted to approve the meeting minutes of January 8, 2020

**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

**Old Business:**

**To discuss and review the final plan for the reconstruction of sidewalks and the installation of crosswalks on Chestnut Plain Road** – Brian informed the Board that since the last Selectboard meeting Keith Bardwell (Highway and Building Superintendent) and himself met with Sarah Campbell (Engineer), regarding the issues that the Board talked about and the comments received from the public meeting. The Board reviewed the revised plan. Brian and Keith discussed the issues with the placement of the sidewalk between the Town Hall and Library; specific to tripping hazards (ex. tree roots). Brian informed the Board that Sara Campbell expressed concern about the use Complete Streets funds for something that isn't ADA compliant. Keith recommended that path/sidewalk not be part of this project, but done in the near future.

The Board had a brief discussion regarding different crosswalk material options, crosswalk lighting/signs, and road reflectors. Keith stated that there has to be a sign prior to the crosswalks, but the Town could install reflectors on the signs. Even a simple solar array sign will put the project up and over \$10,000. Flashing lights will give a better safety aspect but Keith doesn't think the town would have the pedestrian volume to justify them. Keith stated that raised crosswalks affect drainage and substantial drainage improvements would be a huge cost. Keith stated that he is going to contact other communities regarding these concerns, especially as to crosswalk noise. Fred (Selectboard) inquired what crosswalk tactical pads are and what's going to be on the road? Keith stated that tactical pads are for blind pedestrians to indicate that they're about to enter on to a crosswalk and they are installed in the transition from the street to the sidewalk. The crosswalks will comply with state requirements which means they will be white lines with the hashes. Keith stated that since the Town is considering repaving this

section of Chestnut Plain Road, it can leave the crosswalk plan section out of Complete Streets work and then use Chapter 90 funds for it.

Donna Wiley (184 Chestnut Plain Road) stated that Keith was right about the way the water flows. One of the best parts of the Conway School study was their topographical maps which makes that point very clear. When the Complete Streets Committee held an open meeting about town center, there was a unanimous outcry against raised crosswalks. Donna suggested that if the Board ends up leaning in that direction then it would be a good idea to hold another open meeting. Donna discussed crosswalk functionality, pedestrian safety, crosswalk design/placement, and crosswalk lighting. Fred (Selectboard) stated that if flashing lights are going to be installed, the town will have to consider who is going to do the snow removal in the winter from the sidewalks?

Keith stated that budgets season is here so the Board needs to make a decision how and if the sidewalks are going to be maintained in the winter. Either the Town maintains them or a bylaw is created for the residents to maintain them. Keith recommends that if the Town is going to be maintaining them then the Town hire a sub-contractor to do it. The Board had a lengthy discussion regarding snow removal for the sidewalks, maintenance of the sidewalks, cost share agreement for winter equipment, and costs for sub-contractors. Keith suggested that if the Board decides to maintain the sidewalks, they need to consider how the sidewalks will be treated for ice. The roads have to be salted but the chloride in the salt is the worse for the maple trees.

Fred asked Keith to explain the proposed changes in front of the Whately Inn? Keith replied that the southerly entrance to the Whately Inn will be terminated and there will be two parallel parking spots on Haydenville Road. Keith suggested that all involved need to sit down with the Whately Inn to discuss cost sharing and some type of agreement on how things are getting paid for. The Board had a lengthy discussion regarding the Whately Inn with specific attention to parking patterns, sidewalk crossings, traffic volume, and costs. Keith informed the Board that he and Brian will continue working on this project and report back to the Board in the near future.

Brian summarized the issues that he and Keith will be researching as, raised crosswalk vs. non-raised crosswalks, noise issues, embedded reflectors, and cost estimates for winter maintenance. The Board questioned if it would be realistic for a bylaw to be presented at our April town meeting? Brian stated that it might be possible. The Board requested that if construction occurs around Memorial Day that the contractor keep the area clean and safe for the planned events and activities.

**To discuss whether to apply for assistance from the Franklin Regional Council of Government's District Local Technical Assistance (DLTA) program** – Brian informed the Board what they discussed at their last meeting. Brian reviewed the top four topics that were discussed; housing planning, EV charging stations, aging and dementia friendly community planning, and brownfields. Jonathan inquired if open space was on that list and if not, would it eliminate the Town's ability to apply for the \$10,000 assistance? Brian stated that open space planning was not one of the top 4 topics and the Conservation Assistance for Small Communities Grant is separate, so it should not have any impact. FRCOG requested that the Board prioritize their top three topics. Brian stated that he received an email from Catherine Wolkowicz (Housing Committee Chair) suggesting that the Board give some consideration to housing planning. Brian informed the Board that the town currently has \$118,000 in the Whately Affordable Housing Trust along with future CPA funds (FY21) of \$39,000. Those funds need to be spent on Community Housing under the CPA. Catherine Wolkowicz (Housing Committee Chair) discussed the importance of

housing planning with specific attention to housing construction costs, the town's predevelopment process, project management, Small-Town Housing Choice, and potential housing grants. After much discussion, the Board decided that housing planning would be their top priority. Fred stated that they're looking for Housing Committee members if anyone is interested. There is a mission statement under Housing Committee webpage at whately.org. A motion was made to have housing be the first priority, second – aging and dementia friendly community planning, and third - brown fields. Motion was seconded. All in favor.

**To discuss the status of the required improvements to Club Castaways and for the Board to review the operation of the establishment under the terms of the Variance granted on August 8, 2018** – Brian informed the Board that Police Chief Sevigne was not able to attend tonight's meeting. Brian read Chief Sevigne's detail summary. Nicholas Spagnola and Julius Sokol (Club Castaways) appeared before the Board to discuss the terms of the variance granted on August 8, 2018. Nicholas Spagnola (Club Castaways) updated the Board as to the masonry wall, security system, and detail police officer staffing. Julius stated that next month is their last monthly meeting to appear before the Board. The masonry wall should be completed by Friday January 31<sup>st</sup>. Once the wall is complete, they will contact the building inspector, Mr. Roberts, to sign off on the project which will hopefully happen next week. The Board inquired if any work has been done inside the establishment? Julius stated that the carpet was replaced, painting, and they removed the small stage out back. Julius informed the Board that Nicholas has missed a total of three days since they opened. Jonathan and Fred expressed appreciation for Nicholas and Julius' efforts made to operate the establishment without issues. Julius informed the Board that they're going to request that the variance is extended in regards to the police detail. In the future, Nicholas and Julius are hoping to not have a police detail required by the Board, but will make use of one if needed. No action was taken at this time.

**New Business:**

**To discuss Police Department staffing requests and the Police Department budget for FY21** – Brian informed the Board that Chief Sevigne could not attend tonight's meeting. The Board tabled this discussion until the next Selectboard meeting.

**To declare certain supplies and equipment as surplus property and make available for disposition in accordance with Chapter 41 of the Whately General Bylaws** – The Board reviewed the list of supplies and equipment as surplus property. A motion was made to declare these items as surplus property. Motion was seconded. All in favor.

**To discuss and vote on whether to renew insurance for the building and property located at 218 Chestnut Plain Road** – A motion was made to renew the insurance for the building and property located at 218 Chestnut Plain Road. Motion was seconded. All in favor.

**To sign the election warrant for the Primary Election to be held on March 3, 2020** – The Board signed the Primary Election Warrant for the Presidential primaries to be held on March 3, 2020. Jonathan read the early voting hours available; February 24<sup>th</sup> 8:15 am to 7:00pm, February 25<sup>th</sup> 8:15am to 4:00pm, February 26<sup>th</sup> 8:15am to 4:00pm, February 27<sup>th</sup> 8:15am to 4:00pm, and Friday February 28<sup>th</sup> 9:00am to 12:00pm.

**To discuss and vote to send a letter in support of S-1974 "An Act Relative to Municipal Net Metering Facilities"** – Joyce informed the Board that when smaller municipalities have small solar arrays, the solar arrays are classified as private rather than public. Whereas, the bigger municipalities that have bigger solar arrays, are classified as

public. The smaller arrays do not get the same net metering credits due to this classification. The letter in support of S-1974 "An Act Relative to Municipal Net Metering Facilities" would allow the smaller facilities to be counted as public instead of private. The Board voted to have Brian draft a letter in support and have Joyce, the Selectboard Chair, sign it.

**To discuss and vote to accept the resignation of Meghan Ashman from the Whately Recreation Commission** – A motion was made to accept the resignation of Meghan Ashman from the Whately Recreation Commission. Motion was seconded. All in favor. Jonathan nominated Shelley Yagodzinski to the Whately Recreation Commission. Brian informed the Board that Shelley's nomination may need to be listed as an agenda item. A motion was made to appoint Shelley Yagodzinski to the Whately Recreation Commission if allowed. If necessary, Shelley will be appointed to the Recreation Commission at the Selectboard meeting on February 19th.

#### **Town Administrator Updates:**

**Williamsburg Road Bridge Project Update** - Brian informed the Board that the site visit for the Williamsburg Road Bridge project was held last week and about 10 people were present. The bids for the project are due February 11<sup>th</sup>. The Board will hopefully have recommendations and costs at the next Selectboard meeting on February 19<sup>th</sup>. Fred inquired that if bids come in high, will a warrant article need to go through the Finance Committee? Brian stated that if the bids come in too high, the project would be eligible for Chapter 90 funds and/or town funding could be considered.

**Center School Visioning Committee Update** - Brian inquired what the Board would like for a deadline for a response from the Center School Visioning Committee? Brian stated that the Committee prepared the survey and compiled the results. In the near future, the Board might receive a letter, from the Committee, inquiring if the Board would like the Committee to continue working on this? The Board had a brief discussion regarding the survey responses, request for proposals, and the deadline for a town meeting warrant article. The Board questioned would any of the Committee's recommendation require town meeting action? Brian stated that if the Town wants to dispose of the property or if there was a long-term lease agreement that exceeded \$35,000, the townspeople's vote would be required. The Board recommended putting an article in the Whately Scoop that summarizes the Committee's work. February 26 is the next Whately Scoop deadline which is the last scoop until the next annual town meeting.

**Regional IT Meeting (01/28/20)** – Brian informed the Board that he attended a regional IT Meeting at FRCOG. This meeting came out of a study of several towns that were interested in regionalizing their IT systems. This is funded through Homeland Security, which was looking at the cybersecurity aspect of it and Mass IT. The study explored whether it makes sense to regionalize some of the IT systems. The company doing the assessment is called Novus, out of East Hartford. Mass IT noted that municipalities are becoming more frequent targets of cybersecurity. It would be at least a year before anything is implemented.

**Franklin TPO Meeting (01/28/20)** – Brian informed the Board that he sees a need for a Selectboard member to attend the Franklin County transportation planning organization meetings. These meetings are in regards to the Haydenville Road project. Brian stated that one of the challenges is that the meeting times are during the day. The Board had a brief discussion regarding the importance of the project, last year's challenges, federal funding plans, pros vs. cons of working collectively with other "cross county" towns, and the future of the project. Brian stated that MassDOT hasn't approved the 25% design. The Board decided that Fred would attend the Franklin County TPO meetings with Brian.

**Green Communities Grant Applications (due 03/27/20)** – Brian informed the Board that the Green Communities Grant is due March 27, 2020. Brian stated that he received cost estimates for the Elementary School's mechanical improvements specific to the boiler. Brian stated that he reached out to weatherization vendors, but has not been

able to schedule anything yet. Fred inquired what the monetary limit is for the Green Communities Grant? Brian stated that the limit is \$200,000 per project. The Board had a brief discussion regarding the costs of mechanical improvements at the Elementary School, weatherization for other town buildings, pros/cons of requesting more funds, and the energy committee's support of the Elementary school improvements.

**Concerns Regarding Increased Train Noise** – Brian informed the Board that he received an email from a town resident regarding increase train noise. The Board discussed the train's increase in services and Brian's not sure what can be done about it. The Board suggested drafting a letter to whoever the most appropriate person at Amtrak or MassDOT informing them of the concerns.

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

Jonathan informed the public that there is an ice-skating rink in between the Fire Station and the Highway garage. The Recreation Commission is looking for volunteers to help maintain the rink which includes snow removal.

Fred stated that the Board has heard comments from center of town residents regarding speeding and increased truck noise. Fred stated that he has seen the Whately Police Department monitoring Route 5/10 and inquired why they're not monitoring other streets in Whately? Jonathan and Joyce stated that they do see them sitting at the Town Hall parking lot, but also have seen them on Route 5/10. Chris (Chestnut Plain Rd residents) stated that he has seen the Whately Police frequently at the Center School, Town Hall, and down by Westbrook Rd.

Fred stated that at a meeting the other night a few people asked him what the Town was doing with Tri-Town Beach, as in, maintenance and improvements? Some people expressed concern that the Town should be considering Tri-Town Beach as an asset and not a liability. Fred stated that Brian did an informal assessment of Tri-Town Beach this summer, in regards to problems/issues. Jonathan stated that the Town is taking a strong look at Tri-Town Beach.

The meeting was adjourned 7:43pm

Respectfully submitted,

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Brian Domina, Town Administrator

Next Meetings: February 4, 2020 (Joint Budget Meeting), February 19, 2020

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

Selectboard Meeting Minutes dated 01/08/2020

Vendor/Payroll Warrant Reports – (01/06/2020 and 01/17/2020)

Complete Streets Chestnut Plain Road Sidewalks and Crosswalks Design dated 01/22/2020

Email from Catherine Wolkowicz dated 01/23/2020

2020 Local Technical Assistance Request Form (FRCOG)

Letter from Chief James A. Sevigne Jr. dated 1/28/2020

Castaway's Detail Incident Log dated 12/19/2020-01/11/2020

Copy of Notice of Decision for Whately Investments, LLC – Variance – Police Officer on Duty at Premises Offering Certain Entertainment

Letter from Chief James A. Sevigne Jr.

Police Department Budget FY21 – Preliminary dated 01/28/2020

Surplus property of the Highway Department dated 01/11/2020

Email from Librarian, Cynthia R. Steiner, dated 01/21/2020

Commercial Property Policy for 218 Chestnut Plain Road.

Email from Joyce Palmer-Fortune dated 01/08/2020

Senate Docket #1590 filed on: 01/18/2020

Email from Meghan Ashman dated 01/08/2020

Email from resident, Colin Hoyt, dated 01/13/2020