

**Selectboard
Meeting Minutes
August 26, 2020
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 August 26, 2020 at 6:02 p.m. by the Chairperson, Frederick Orloski. Also present via zoom were Selectboard Members Joyce Palmer-Fortune and Jonathan Edwards: Town Administrator Brian Domina, and Administrative Assistant Amy Schrader.

Review and vote on the meeting minutes of August 12, 2020

The Board voted to approve the meeting minutes of August 12, 2020.

Roll call vote: Jonathan – yes, Joyce – yes, and Fred – 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

Don Skroski (resident) expressed concern regarding the noise caused by the railroad track crossing on Christian Lane. The railroad crossing was not as noisy before they did the repair work on it. Mr. Skroski inquired if the Selectboard could contact the railroad to improve the railroad crossing on Christian Lane? Keith Bardwell (Highway and Building Superintendent) stated that the issue is that the rail is the highest point in the crossing. Keith stated that he contacted the rail division of MassDOT and will reach-out again to address the rail issue at the Christian Lane railroad crossing. The Board supports Keith and Brian reaching out to MassDOT to help address this issue.

Scheduled Appointments:

6:00 pm (Public Form) – Draft 2020 Whately Multi-Hazard Mitigation Plan - Kimberly Noake MacPhee (FRCOG) appeared before the Board to present the draft 2020 Multi-Hazard Mitigation Plan. Kimberly discussed the Multi-Hazard Mitigation Plan with specific attention to the Town's projects, 2014 plan, 2014/2020 vulnerability assessment, anticipated impacts of climate change, changes in precipitation, extreme weather events, 2020 past/current/future hazards, risk identification/analysis, vulnerability assessment, mitigation strategies, 2020 action plan, and the plan's next steps. The contract for this work ends December 30, 2020. Once approved by FEMA, the plan will be valid for 5 years.

The MVP workshop will be held this fall and the designation process for the Town will be completed in early 2021. The Board discussed the average temperature charts and requested clarification regarding the emission amounts, the HMP Committee's decision-making process, and joint MVP planning opportunities. Brian stated that the Town has an MVP planning grant to achieve the designation. Kimberly suggested that the Board review the narrative and submit their feedback to Brian. Kimberly thanked the Board and Committee members for their help and is looking forward to getting the MVP plan underway. The Board appreciated all of FRCOG's help with developing this plan.

COVID19 State of Emergency

To discuss, review and consider modifications to the following:

i. Directive on Town Employees Returning to Work During the COVID19 Pandemic

Brian informed the Board that there are still active cases in Town, but they are being managed by the Board of Health. The Foothills Health District will be hiring its own public nurse and will no longer be using Northampton's Public Nursing Program. Brian has no recommendation for changes to the Orders. Chief Sevigne stated that the Police Department is closed to the public at this time. The public can call to make an appointment if the station is not staffed at that time. There is a sign posted on the door with the Police Department's contact information. The public can call the dispatch line to contact an officer, who can report back to the station. Chief Sevigne discussed the station procedures for handling public requests and scheduling appointments. Keith Bardwell (Highway and Building Superintendent) stated that people will stop at the Highway Department, but do not normally make appointments. Jonathan expressed concern and discussed that town employees/residents should remain cautious and stressed the importance of wearing a face mask. The Board had a brief discussion regarding the importance of face masks and the consequences/disciplinary actions for town employees who do not abide by this requirement. The Board recommended that residents/employees continue to practice the appropriate safety measure to protect themselves and others from the spread of COVID19.

The Board took no action and will revisit this on September 9, 2020.

ii. Order Reopening Town Buildings to the Public for Limited Hours and Appointment Only

The Board took no action and will revisit this on September 9, 2020.

Status update on the Town's inventory of personal protective equipment and distribution to schools for the upcoming school year - Brian informed the Board that the Town received a shipment from MEMA of over 6,000 surgical masks and 6,000 KN-95 masks. Brian stated that he received an email from Darius Modestow (School Superintendent) inquiring if the Town would be interested in donating and/or selling the Town's KN95 masks? The Board had a lengthy discussion regarding the Town's face mask supply, usage, supply demands, replenishment challenges, and the importance of supporting our schools. Chief Sevigne stated that he reached-out to Whately Elementary School's Principal to see what the school's PPE supply needs are. He has not heard back. Chief Sevigne discussed the Police Department's daily mask usage. The Town has two different supply stockpiles available: EOC supplies and regular everyday supplies. Jonathan formally suggested that the Town deliver 1,000 masks to the school tomorrow to ease this burden on the school. Chief Sevigne stated that the new KN-95 masks have not been tested and cannot guarantee the quality of them. Jonathan stated that the gator masks are not as effective and suggested that town employees wear the appropriate PPE. Fred supports giving the masks to the school, but suggested that the school use them for employees only and only give students the masks when necessary. The Board unanimously agreed to deliver 1,000 surgical mask and 1,000 KN-95 masks to the school tomorrow.

To discuss applying for a MIIA risk mitigation grant (UV-C lights for HVAC systems at the elementary school and Town Offices) - Brian informed the Board that each year MIIA puts out a Risk Mitigation grant that is up to \$10,000. Brian received an email from Shelley Poreda, School's Business Manager with a quote from their HVAC service provider to install UV-C lights in the HVAC system at the elementary school. Brian sent an email to the Board of Health for their opinion on the effectiveness of the UV-C lights. This would likely be eligible for Cares Act money as well. Brian would like to hear back from Fran Fortino, Board of Health Chair, first. The Board supports this grant and would like to move forward after hearing feedback from Fran Fortino. There are two medical grade

air filters that were installed in the large conference room at the Town Offices. These will be moved to the Town Hall for the election on September 1, 2020.

Old Business:

To discuss in general terms possible conditions to include in the Request for Interest/Information for the Center School (e.g. milk bottle) - Fred informed the Board that the Town received letters submitted by the Whately Historical Society, Whately Historical Commission and Bill Saunders (resident) in regards to the retention of the Milk Bottle on the site. Judy Markland (Historical Society) stated the Historical Society submitted the request for the retention of the milk bottle on the site and the Historical Commission submitted a request to protect the façade of the Center School. The Board had a brief discussion regarding the pros/cons of changing the façade of the Center School, potential ADA compliance challenges, and the importance of preserving the building. This will be discussed in more detail when creating the RFI.

To review and vote to adopt a policy on the timing of payment for police details – The Board approved, in principle, the idea of paying police officers who work details in the Town at the next pay period. Brian drafted a policy to set forth the procedure to make this happen. It has been reviewed by Jim, Lynn, and the Town Accountant. As written, it would be reviewed in 12 months to see if it works or does not. Fred requested receiving a year-end report as to how the account is doing. Chief Sevigne supports this policy and will be meeting with the Accountant to go over record keeping procedures. The Board inquired if the frequency for Police Officer details increase would that impact this policy? Chief Sevigne stated that at this time, there are no major Town projects that would increase the Police Detail demand. This account will not be seeded with funds, but will need to be reconciled by the end of September. This policy only applies to Whately Police Officers regardless of the detail location. A motion was made to adopt the policy on the timing of payment for police details. Motion was seconded. All in favor. Roll call vote: Jonathan – yes, Joyce – yes, and Fred – yes.

Chief Sevigne requested hiring two part-time Police Officers to replace the two part-time Police Officers that have left the department. No additional funding will be necessary, and all training will be done online. The Police Department currently has two full time officers and 8 part-time officers on its regular roster. There is one officer that is working 40 hours a week or more. The Board unanimously agrees that Chief Sevigne should move forward with the hiring process of two part-time police officers and present the names at a future Selectboard meeting.

To discuss an updated Priority Project List for the remainder of calendar year 2020 - The Board decided to table this discussion until their next Selectboard meeting on September 9, 2020.

New Business:

To discuss and designate a Town representative to execute change orders for the Williamsburg Road Bridge Replacement and Chestnut Plain Road Complete Streets projects; to consider any change orders for these projects - A motion was made to authorize Keith Bardwell (Highway and Building Superintendent), to execute change orders for the Williamsburg Road Bridge Replacement Project and the Chestnut Plain Road Complete Streets projects up to and including \$10,000. Any change order exceeding \$10,000 would need to be presented to

the Board for review and authorization. Motion was seconded. All in favor. Roll call vote: Jonathan – yes, Fred - yes, and Joyce – yes.

Keith Bardwell (Highway and Building Superintendent) informed the Board that there is a change order for the bridge components, some of the panels from MassDOT were in poor condition. The Town has money allocated in the original contract for the need to purchase additional bridge components. The Town will be buying enough panels to replace the deteriorated panels provided by MassDOT and six extra panels for \$11,268.00. The Board had a brief discussion regarding the panel's lifespan, storage needs, and the importance of storing the panels out of the elements.

To discuss signs on public property and public right of ways - Brian informed the Board that he would like to have a discussion, so town employees have guidance from the Board on how to approach issues of signs on public property, whether these signs be political, informational, or otherwise. Keith Bardwell (Highway and Building Superintendent) stated that if the resident signs do not change the Town's traffic direction or are not official signs, he does not see a problem with the signs. Chief Sevigne stated that the more signs people see, the less people pay attention to them. Rich Korpiewski (resident) stated that advertising can be regulated by the Town, but freedom of speech cannot be regulated. If freedom of speech in sign form starts to impede on your neighbor's ability to enjoy their own property then this may be a way to approach it. The Board reviewed the Town's zoning bylaw regarding signs. The Board had a lengthy discussion regarding signs with specific attention to traffic control on Town roads, freedom of speech, sign placement, temporary vs. regulatory signs, standards of proper signage, and the Town's zoning by-law. Chief Sevigne inquired if there is any enforcement mechanism? Brian stated there is no enforcement mechanism other than the Building Inspector. Joyce suggested looking into surrounding town's sign bylaws to see if the Town can expand/revise our current bylaw. Brian stated that there is a provision about temporary signs in the zoning bylaw and there is agreement among the Board members that signs cannot create a traffic hazard (e.g. reducing line of sight, etc.). Residents have the 1st amendment right of freedom of speech and the Town will continue to support that if the signs do not create a traffic hazard and/or entice hate/violence.

To discuss a request to purchase and install a new flagpole at the veterans monument - Brian informed the Board that the existing flagpole has been removed adjacent to the Town Hall. The veterans group has agreed upon the location of the flagpole in a new design of the space. Jim Ross has requested permission to purchase a new flagpole and install it once the sidewalk project is completed adjacent to the Town Hall. There are funds available in a donation account and the veterans memorial project account to cover this expense. The cost is around \$3,000.00. The same type of flagpole is located at the Town Offices. The Board supports the purchase and installation of a new flagpole at the veterans monument.

To discuss applying for a Real Estate Technical Assistance grant from MassDevelopment - Brian informed the Board that he and Jonathan have been discussing submitting a grant application to plan for future development around the Exit 24 – Route 5/10 & Route 116 intersection. Brian attached a map of a possible study area. The study would look at possible development opportunities of this area, including the Old Fox Fertilizer parcel, the underutilized and long vacant Sugarloaf Shoppes, some current residential parcels north and south of 116, Circle K gas station, Tri-Town Beach property, the property to the south of Tri-Town Beach (former Christmas Tree Farm), the Whately Diner and adjacent land. The study would look at how do we leverage the high number of motorists passing through the area and the area's unique resources to benefit Whately economically. The grant is due September 4, 2020. The Board had a lengthy discussion regarding vacant Town owned property, grant

opportunities, potential of Tri-Town beach, underutilization of the Sugarloaf shops, and the importance of developing opportunities for the Town.

Last year, the Town applied to the same grant program for the Center School and the Dimaio property, but it was not competitive. Jonathan suggested doing an environmental impact study around the Tri-Town beach area. The range of the grant is from \$5,000 to \$50,000. Fred suggested that a few more boxes should be checked on that page, specifically affordable housing and inquired if that would improve our grant options? Jonathan and Brian will investigate this as an option. Jonathan cautioned taking the Sugarloaf shops off the commercial tax roll. Richard Korpiewski expressed concern regarding the usability of the Tri-Town Beach, cons of commercial development on Route 5, and asked the Board to consider the number of residential homes that would be negatively affected by the commercial development on Route 5. After much discussion, Joyce made a motion for Brian and Jonathan to apply for the Real Estate Technical Assistance grant as described from MassDevelopment. Motion was seconded. All in favor. Roll call vote: Jonathan – yes, Fred – yes, and Joyce – yes. A letter of municipal support will be sent.

Household Hazardous Waste Day – September 26, 2020 is the day that residents can drop off household hazardous waste free of charge. The Town budgets \$1,200 for this expense. The Board is asked to sign the MOU agreeing to pay up to that amount. The two locations this year will be Greenfield Community College and the Orange Transfer Station. A motion was made to sign the MOU. Motion was seconded. All in favor. Roll call vote: Jonathan – yes, Joyce – yes, and Fred – yes.

Town Administrator Updates:

Whately Community Choice Power Supply Program Enrollment statistics; Brian informed the Board that we have the results back from the municipal aggregation program, 85.7% who were eligible to participate in the program, decided to stay in the program. Brian reviewed the enrollment statistics with the Board.

Update on the Chestnut Plain Road Complete Streets Project; Update on the Williamsburg Road Bridge Replacement Project; Brian informed the Board that the Chestnut Plain Road and WMB Road Bridge projects continue to move forward.

Water Department – Booster Pump Project; Brian informed the Board that the Water Commissioners met today and awarded the bid to purchase the booster pumps needed at the pumphouse. The price of the award was approximately \$24,000.

Summary of 08/25/20 Planning Board meeting – The Planning Board meeting was held yesterday. The Planning Board is going to write letter to the property owner asking them to consider submitting a petition for a zoning change to include the property in the Commercial District.

Brian informed the Board that the Town received a \$60,000 donation from Smith College for Poplar Hill Road. The Board suggested writing a thank-you letter to Smith College.

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

None

The meeting was adjourned 8:52pm

Respectfully submitted,

Brian Domina, Town Administrator

Next Meetings: September 9, 2020 & September 30, 2020

Document List Filed in the Selectboard Office

Selectboard Meeting Minutes dated August 12, 2020

Payroll Warrant W21-05 dated August 13, 2020

Vendor Warrant W21-05 dated August 13, 2020

COVID19 Pandemic – Supplies on Hand Chart dated July 27, 2020

JAMROG HVAC UV Light Quote

FY21 MIIA Risk Management Grant Application

Letter from the Whately Historical Society dated August 14, 2020

Letter from the Whately Historical Commission dated August 24, 2020

Email from Bob Saunders dated August 24, 2020.

Draft Policy on the timing of Payment for Off-Duty or Special Detail Work dated August 24, 2020

Priority Project List – DRAFT dated July 29, 2020'

Williamsburg Road Bridge Replacement Project/ Draft Change Order No. 1

Town Zoning By-Law – Sign regulations dated April 30, 2020

MassDevelopment Real Estate Services Technical Assistance FY21 Calls for Proposals

Franklin County Solid Waste Management District Agreement dated August 8, 2020.