

**Selectboard  
Meeting Minutes  
April 29, 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 April 29, 2020 at 6:03 p.m. by the Chairperson, Joyce Palmer-Fortune. Also present via Zoom 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 April 8, 2020.**

The Board voted to approve the meeting minutes of April 8, 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**

Fred Orloski inquired if Ann Barker (Owner of Quonquont Farms) or Janelle Wilkins (Manager) would entertain the idea to use Quonquont Farms meeting house or outdoor pavilion for a potential location for the town’s Annual Town Meeting? The Board had a brief discussion regarding social distancing requirements and the seating capacity of Quonquont Farms vs. the Whately Elementary School gymnasium. Ann Barker stated that there is about 4,000 square feet of indoor space with a capacity of 200 and their outdoor pavilion can accommodate 180 people, but not spaced apart. Ann Barker stated that Brian can tour the space to see if it can be considered as an option. The Board thanked Ann Barker for her consideration.

**Scheduled Appointment:**

**(Quonquont Farms) To discuss a request from Quonquont Farms to extend the end date of its seasonal all alcohol license from October 31, 2020 until November 30, 2020.**

Janelle Wilkins (Quonquont Farms Manager) and Ann Barker (Quonquont Farms Owner) virtually appeared before the Board to discuss their request to extend their seasonal alcohol license from October 31, 2020 to November 30, 2020. Janelle stated that Quonquont Farms has been negatively affected by the COVID19 pandemic and they’re finding a need to reschedule spring, and potentially summer time events. Quonquont Farms would like to remain flexible for their clients. Ann Barker stated that they are not operating in May or June which means they are not using their alcohol license. If they need to push clients into November, they would like to offer the liquor license. The Board agreed that they see no issues with this request as long as the ZBA approves their special permit request. Jonathan made a motion to extend Quonquont Farms pending the ZBA approval. Motion was seconded. All in favor. Roll call vote: Jonathan – yes, Joyce – yes, and Fred – yes

## **COVID19 State of Emergency**

### **To discuss, review and consider modifications to the following: Directive Limiting Work in Town Buildings to Only Essential Activities by Essential Employees & Board Members & Requiring Employees to Work from Home or Remain on Call to Perform Essential Functions.**

Brian informed the Board that the Governor has extended the Stay at Home Advisory and Non-Essential Business Closure until May 18<sup>th</sup>. The Board will need to review its Directives and Orders as it pertains to town buildings, town employees and employee pay. Lynn Sibley (Town Clerk, Treasurer/Collector) stated that directive seems to be working pretty well, employee contact has been limited. Lynn stated that her office could continue on for the next 2 or 3 weeks. Keith Bardwell (Highway and Building Superintendent) stated that he would like to have his memo amended to state: that if he has two people in a vehicle that they both wear mask. Sometimes it's unavoidable to have two people in a vehicle. Keith stated that it's very uncommon but wants to be prepared if the situation arises. Jonathan stated that he would encourage this situation to be as minimal as possible but if it has to happen, it has to happen. Jonathan inquired if the employees involved in this amendment, would be in contact with the general public? Keith stated that it's only employee to employee contact and not outside people. Joyce made a motion to amend the directive to allow the Highway Department to have two people in a vehicle when necessary and both people shall be wearing masks under those conditions. Motion was seconded. All in favor. Roll call vote: Jonathan – yes, Joyce – yes, and Fred – yes.

Joyce Palmer-Fortune made a motion to continue the Board's Directive with the amendment that the Board allows the Highway Department Employees to have two people in a vehicle when necessary and both people shall be wearing masks under those conditions, to be reviewed at the next Selectboard meeting scheduled for May 13, 2020. Motion was seconded. All in favor. Roll call vote: Jonathan – yes, Joyce – yes, and Fred – yes.

### **Directive on Employee Pay Through April 29, 2020 –**

Brian stated that this was a decision of the Selectboard that all town employees would be paid for their regular hours regardless of whether they are required to come to work for the period starting March 24, 2020 then amended through April 29, 2020. The Selectboard expects all employees to work from home when possible or be on-call for performing essential functions. Joyce Palmer-Fortune inquired if this directive has been working out? Brian stated that there is work for employees to do and work isn't falling through the cracks. Depending on where people live, internet access is challenging for some employees. The Board had a brief discussion regarding town employee's workload. The Highway Department employees have been working their shifts and the Police Department have been covering their shifts along with the part-time officers. Joyce Palmer-Fortune inquired if this directive is different from the others, that we keep renewing it or is it until further notices? Brian stated that this directive is worded differently in that it terminates on a certain date.

Jonathan Edwards questioned if Lynn Sibley (Treasurer/Collector) was forecasting any cash shortfalls? Lynn Sibley (Treasurer/Collector) stated that right now, payments are coming in. The biggest thing is if the state does any 9C cuts. People are paying their taxes, but due to the extended deadline, things are coming in a little slower. We do have enough in reserves right now to keep us going for a while. Jonathan inquired what percentage of tax bills are paid through escrow? Lynn stated that she has gotten two of the escrow companies but, big one is going to wait until the end of May. Fred made a motion to

extend the Directive on Employee pay through May 18, 2020. Motion was seconded. All in favor. Roll call vote: Jonathan – yes, Joyce – yes, and Fred – yes.

**Emergency Order Restricting Public Access to Town Buildings adopted by the Selectboard on March 24, 2020 and revised on April 8, 2020.**

The Board took no action and will revisit this on May 13, 2020.

**To discuss, review and consider voting to adopt the proposed Annual Town Election COVID19Contingency Plan for the Annual Town Election scheduled for June 9, 2020.**

Joyce Palmer- Fortune suggested to Lynn Sibley (Town Clerk) about putting the early voting ballot application in the May edition of the Whately Scoop. Lynn stated that was a great suggestion and we're encouraging people to vote by mail however there is a by-law that there has to be physical voting hours for election day. Lynn's requesting that the Selectboard approve lesser hours for that day 12-6 instead of the regular hours 10-7, this will give residents a 6-hour window.

Lynn is also requesting the Board to authorize the change of location. Lynn suggested using the Elementary School for voting since there is more space for social distancing. Lynn stated that there will be a mask requirement. Fred inquired if a resident showed up without a mask would the town supply them with one? Lynn stated that if someone refuses to wear a mask, they have the right to do so and certain accommodations would need be met. Lynn spoke to Chief Sevigne regarding the town's mask supply. Chief Sevigne stated that the town does have an adequate amount of mask to supply residents, if needed, for election day. Lynn suggested that it may be a nice gesture to have pre-paid postage on the return ballot envelope. Lynn is looking for the Selectboard to approve the new location, change in hours, and pre-paid envelopes. The Board had a brief discussion regarding the mask requirement, change in hours, sanitization requirements, and age of election workers. Lynn stated it's a goal to strive for, to have election workers under the age of 60. Jonathan suggested that Lynn put in a specific number of times that an election worker should be washing their hands. Lynn stated that she would clarify that in the plan.

Lynn stated that there will be a script to ask people about their health for that day. It's a little uncomfortable to ask people about their health, but does need to be included in the plan. Jonathan stated that we're currently paying a school nurse, could we inquire if she could take peoples temperature with a forehead reading thermometer? Lynn stated she would talk to Kristine Kirton, WES Principal, regarding the request for the School's nurse. Brian suggested contacting Kristina Kirton to use the sign at the WES for notification purposes. Lynn stated that she will make these changes and have Brian forward the plan to the Selectboard. Fred made a motion to change the location of election day voting to the Whately Elementary School, from 12-6pm, and allow mailing and pre-paid return addressing of the ballots. Motion was seconded. All in favor. Roll call vote: Jonathan – yes, Joyce – yes, and Fred – yes.

**To discuss potential dates and locations for the 2020 Annual Town Meeting.**

Brian stated that we need a target date for the Annual Town Meeting for budget purposes whether it's a full FY21 budget or a 1/12<sup>th</sup> budget. Brian is expecting additional guidance from DLS for 1/12<sup>th</sup> budgets for towns. Brian spoke to Paul Antaya, Chair of the Finance Committee, to begin scheduling virtual Finance Committee meetings. Brian recommends June 23, 2020 for a target date for the Annual Town

Meeting. Brian discussed the potential FY21 budget challenges and 1/12<sup>th</sup> budget option. Joyce Palmer-Fortune made a motion to aim for June 23, 2020 for the Annual Town Meeting date. Motion was seconded. All in favor. Roll call vote: Jonathan – yes, Joyce – yes, and Fred – yes.

Joyce Palmer-Fortune stated that two locations are being considered for the Annual Town Meeting: WES gymnasium and the possibility of Quontquont Farms, capacity of both locations is still questionable. Joyce will send an email to the Principal at the Whately Elementary School to inquire what the gymnasium seating capacity is? Lynn stated that in prior years, the town was able to expand into the cafeteria from the gymnasium at the Elementary School.

Fred inquire if the Board would take comments through Zoom during Annual Town Meeting? Joyce stated that people can ask questions but they can't vote. Lynn stated that they need to be registered voters to ask questions. Joyce stated that it might be not be realistic to have people ask questions via zoom.

The Board had a brief discussion regarding social distancing logistics, remote technology challenges/needs, staffing, and mask requirements. For the next Selectboard meeting, Joyce requested to have a reasonable estimate for the number of people who can attend in the gym/overflow into the cafeteria and the mask requirement for the Annual Town Meeting. A screen might be necessary for people to see better. Jonathan suggested having someone regulating the entrance of the Annual Town meeting to move people along and try to prevent residents from socially gathering. Lynn stated that the Board of Health could do a directive for the use of masks in social situations. Lynn does not think that the Board of Health has done that yet. Lynn will keep checking on the guidance from the Attorney General's Office.

Fred inquired if our Board of Health is checking on our businesses to make sure they are following those restriction? Brian stated yes. Joyce stated that for the next Selectboard meeting, we should gather information regarding the capacity with social distancing at the school and look at the last 3-4 years' worth of Annual Town Meeting attendance.

#### **Update on senior residents' meals and outreach.**

Brian informed the Board that Christina Johnson, the South County Senior Center Director, has been sending out a weekly meal update. The South County Senior Center continue to provide meals to senior residents and make phone calls. There are two members of the Whately COA who have volunteered to make phone calls to senior residents as well. Last week, there was 27 meals to Whately residents sent through the South County Senior Center. Jonathan stated that they are doing really well. There is an effort to develop a larger pen-pal connection. It would be great to figure out a way to involve the elementary school students. Also, there is an effort to organize a Zoom call for all seniors, so there could be some social interaction. Brian stated that Darius Modestow (School Superintendent) is going to look into how student meals might continue past the end of school? Typically, the school stops serving at the end of June when school ends.

#### **Old Business**

**To discuss the status of the 13-town municipal electricity aggregation collaborative with Colonial Power and next steps.**

Brian informed the Board that the RFP was supposed to go out today. On May 13, the 13-town collaborative is supposed to get the indicative pricing to get the market costs for the different categories. May 20<sup>th</sup> is the date that towns either say they are in or out, based on the pricing that is received that day. The process is such that each town needs to have an authorized signatory that can execute a contract for pricing on behalf of the Town. There will be another Selectboard meeting on May 13, 2020, we can talk about the pricing options and designate someone to make that decision on May 20. Joyce stated that candidates could be someone from the Energy Committee or Brian. Jonathan suggested that the Energy Committee could convene via zoom before May 20<sup>th</sup> to review the pricing. Jonathan inquired how signing is going to work? Brian stated that he has not heard the specifics on how that is going to go. Jonathan suggested that maybe the Selectboard and the Energy Committee could have a joint meeting on May 20<sup>th</sup> immediately after the pricing options are released. The Board discussed meeting time options and the decision making/signing process. The Board agreed to hold a meeting either concurrent or right after the pricing meeting.

### **New Business -**

#### **To discuss the status of Memorial Day 2020 activities.**

Joyce Palmer Fortune informed the Board that the Historical Society is looking for direction from the Selectboard on whether or not to hold the annual Memorial Day parade? Since the Governor extended the social distancing and closures until May 18, 2020. The Memorial Day events are only a week away from that date. Adelia Bardwell (Whately Historical Society) stated that the Grange was concerned and wanted someone from the town to make the decision on whether to hold the Memorial Day events or not. Fred stated that he doesn't think that there should be a parade or any school functions but something should be done at the Veteran's Monument and at the Center Cemetery, such as holding the ceremony for wreath placement. Maybe the Veteran's group, could place the two wreaths on that day. The Board discussed the challenges of holding the Memorial Day events due to the current COVID19 restrictions. Jonathan stated the Board has placed restrictions on the number of people who can assemble at a public place in town. Fred suggested contacting Jim Ross or the Veteran's Services to see what they are doing for surrounding towns. Joyce stated that the Board can act like an advisory Board since it's not the Board's event. The Board advises the Historical Society and Grange not to hold the Memorial Day events, but if possible, do a simple ceremony to lay the wreaths with appropriate social distancing and if possible, to video tape/broadcast or live stream it. Adelia Bardwell (Historical Society) stated that if the Board thinks that is sufficient, she will do whatever it takes to have that done.

#### **To discuss and authorize the Town Administrator to award contracts for gasoline and diesel fuel for fiscal year 2021.**

A motion was made to authorize Brian Domina, Town Administrator, to award contracts for gasoline and diesel fuel for fiscal year 2021. Motion was seconded. All in favor. Roll call vote: Jonathan – yes, Joyce – yes, and Fred – yes.

### **Town Administrator Updates:**

**Haydenville Road Project (Franklin TIP Status & Future Engineering)** – Brian informed the Board that there was a TPO meeting for the Haydenville Road project. It's currently listed for construction year 2025. They didn't make any changes and the plan is out for a 21-day comment period. The more difficult

part is how additional engineer is going to be paid for? MassDOT has committed to funding design through 25% with no additional commitment. Another call is scheduled for June to figure out a solution. Brian discussed project timeline challenges and additional engineering costs. Fred stated that one of the things Representative Blais was going to try to reach out to Northampton Water Department to see what they have to offer.

**Poplar Hill Road Improvements** – Brian informed the Board that Poplar Hill Road Improvements is something that Keith wants to get started on. Brian stated that he contacted Smith College again regarding their monetary contribution and is still waiting to hear back. Brian has a cost contribution agreement from Town Council for Smith College to sign.

**Chestnut Plain Road Sidewalk/Crosswalk Improvements** – Brian informed the Board that he submitted a request to extend the contract for an additional 12 months. Brian and Keith would like to have this project completed this construction season.

**FY21 Budget Meetings (May 12th, 26th, June 9th)** – Brian informed the Board that the Finance Committee’s future budget meeting dates are May 12<sup>th</sup>, May 26<sup>th</sup>, and June 9<sup>th</sup>. Brian stated that he has some projections that he will be sharing by the end of the week. There is an effort to coordinate a meeting with the Selectboard Chairs and Finance Chairs for what the towns hope to see from Frontier Regional for their FY21 budget. Fred inquired if it would be helpful, to review the commitment of CPC funds? and should the Capital Improvement Planning Committee be meeting again with the uncertainty of future funding? Brian stated that the Capital Improvement Planning Committee looks at the need of the project, not the cost so their recommendations likely wouldn’t change. The Finance Committee would look at the recommendations and the financial aspect of it. Fred questioned the need for police/fire radios, woodchipper, and the potential purchase of the excavator. The Board had a lengthy discussion regarding the CPC funding percentage, long-term CPC commitments, and future funding.

**Water Merger Status** – Brian informed the Board that the water merger received Conservation Commission approval for the location of the pumping station. Wayne Hutkoski (Water Superintendent) has reached out to the Engineer, they need to file application with MassDEP for approval. Brian stated that he would like to have a larger discussion about this and bring the appropriate parties back together.

**Mn Filtration Project Status** – Brian informed the Board that the Manganese filtration project is done and operational. There was a technical hang up with equipment and compatibility. Hopefully, they will install that in the next weeks or months.

**Pan Am Railway Letter** – Brian stated that the Board received their annual letter from Pan Am Railway for the chemicals they are going to spray on the right-of-way.

**Greg’s Septic Letter** – Brian informed the Board that they received a letter from Greg’s Septic. The Board had a brief discussion regarding challenges of disposing of waste water. Brian stated the he would send Greg an email to see what the town can do.

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

Fred inquired what was happening with the recyclables at the Transfer Station? Brian stated that the Selectboard signed the agreement a few meetings ago and he will follow-up with Fran Fortino regarding the “pay as you throw” fee increases at the Transfer Station.

The meeting was adjourned 7:57pm

Respectfully submitted,

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Brian Domina, Town Administrator

Next Meetings: May 13, 2020 & May 27, 2020

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

Selectboard Meeting Minutes dated 04.08.2020

Vendor Warrant dated 04.13.2020

Payroll Warrant dated 04.13.2020

Letter from Quonquont Farm dated 04.07.2020

Town of Whately Annual Town Election COVID-19 Contingency Plan by Lynn Sibley, Town Clerk, dated 04.23.2020

Email from Christina Johnson, Director of South County Senior Center, dated 04.24.2020

Email from Denise Allard, Colonial Power, dated 04.28.2020

Email from Andrea Woods, from FRCOG, dated 04.15.2020

Letter from Keith L. Morris, Environmental Consultant – Pan Am Railways, Inc. dated 04.15.2020

Letter from Greg Gardner, Greg's Septic, dated 04.20.2020