

**Selectboard  
July 25<sup>th</sup>, 2018  
Town Offices  
Open Session  
6 pm**

The open session of the Selectboard of the Town of Whately was called to order on July 25, 2018 at 6:03 p.m. by the Chair, Jonathan Edwards. Present were Selectboard members Fredrick Orloski, and Joyce Palmer-Fortune (via remote video connection). Town Administrator Brian Domina, Town Counsel David Doneski, and Administrative Assistant Amy Schrader were also present. The Board previously signed the Vendor and Payroll warrants.

Jonathan informed the audience that Joyce was participating remotely in the meeting due to geographic distance and that all votes would need to be done by roll call vote.

The Board voted to approve the meeting minutes from July 11th, 2018. Roll call vote: Jonathan – yes, Fred – yes, Joyce – yes. All in favor.

**Comments from the Public – before hearing**

Neil Abraham (184 Chestnut Plain Road) expressed concerns about the possible noise and violence at the Club Castaways. Neil is also concerned that there has been no mention of the ordinances in previous meetings. Neil understands the variance request but doesn't understand why the current owners aren't having the current ordinance enforced until the request of waiver is approved.

**Public Hearing – Whately Investments, LLC for variance from Chapter 62 s. 8 of the Whately General Bylaws for 226 State Road, Whately, MA.**

Jonathan opened the public hearing at 6:11 p.m. and read the variance request submitted by the Applicants.

Susan Baron (120 North Street) expressed concerns regarding online reviews of Club Castaways which were against Chapter 64/14B. Ms. Baron found well over 100 reviews from a number of different websites stating that Club Castaways is involved in illegal activities. Ms. Baron presented the Selectboard with copies of the online reviews and is concerned about these allegations and the affects they have on public safety. Ms. Baron feels that a police officer would be protecting the safety and health of the public more than a security guard who is beholden to the owner.

Statement read on behalf of the Camp Family (233 State Road) stated that the Camp Family was unable to attend the Public hearing due to vacation. The Camp Family expressed concerns about the transfer of the entertainment and liquor license. The Camp Family stated that as abutters they should have been notified and were not. The proximity of their home and the elementary school to Club Castaways has them concerned about safety issues due to the increase of traffic and illegal activities. The Camp Family wants their family adequately protected from any risk. They're requesting that the Selectboard votes "No" to the variance.

Anne Fadiman (169 Chestnut Plain) speaking on behalf of husband, George Halcot opposes variance for the same reasons that have already been expressed. Ms. Fadiman finds it hard to understand why police

presence at Club Castaways would be unwelcomed if all the bylaws were always going to be followed and always currently are followed.

Paul Newlin (148 Conway Road) clarified that the new owners are asking for a variance of the ordinance which implies to him that the ordinance is in effect. However, it seems to Mr. Newlin that the ordinance isn't in effect since there isn't a Police Officer there, is there a reason it hasn't been enforced?

Fred Orloski (Selectboard) discussed that the ordinance went into effect in 1982 at a special Town meeting. Club Castaways was opened in 1972 or 1973. Mr. Orloski understands that it was passed in a Town Meeting however some activities that were passed at a Town meeting are either rescinded at future Town meeting or a variance was granted to the Club Castaways back then. There could be variance granted not have a full-time police officer. It could be documented in records but those records are not available or don't exist. Mr. Orloski stated that we should move forward with the new owners.

Paul Newlin (148 Conway Road) stated that a bylaw should have to be approved by the Attorneys General Office as being legitimate, correct? If that's the case, the bylaw should have been in effect.

Donna Wiley (184 Chestnut Plain Road) questioned if the Town has an ordinance or not? Ms. Wiley stated that in the June 13<sup>th</sup> Selectboard meeting Joyce read through many aspects of the regulations that applied to this establishment. We have known since at least June 13<sup>th</sup> about this ordinance. Ms. Wiley stated that the people responsible for enforcing the ordinance, being the Selectboard, Brian, and Chief of Police that it was either didn't know about the ordinance or it was recent news. Ms. Wiley proposed a question to the Selectboard – "What conditions would lead to us to think it's acceptable to choose not to enforce a law in the Town?"

Fred Baron (120 North Street) stated that the burden of proof should be on the owner that there was a variance. The assumption is there is no variance until someone proves there is.

Anne Fadiman (169 Chestnut Plain Road) questioned that even if such a document could be produced would we not, even after a change, of ownership need to grant a new variance?

Neil Abraham (184 Chestnut Plain Road) expressed concern that the new owners have never operated such an establishment. The new owners made representation of what they will do to oversee the conduct and behavior under their management. Mr. Abraham stated it seems remarkably imprudent for the Town to offer a waiver in advance of evidence that the new owners are successful. The evidence should be established by having a required police officer present for a sufficiently long time to report to the Town. That in fact the conduct is of this sort and may merit consideration of a variance. Mr. Abraham stated that for the best interest of the Town the Selectboard should reject this request.

Attorney Lessor, Attorney for the Applicants, stated that there was a number of people who weren't at any of the earlier meetings. The evidence at the earlier meetings, there has never been a police officer there, there has also never been a dedicated security officer there or any type of security there. The evidence was that in 15 years there been 15 police complaints which is one a year. The present owners with no security have never had any issues with regard to criminal activity there. The new owners came in and said they will put in a very robust plan and probably have a retired police officer from another town, someone approved by the Town Police of Chief, could be sometimes 2 security officers, lighting in the parking lot to make it safer, there will be a wall to decrease sounds for the neighbors and there will be all these improvements. In fact, having a part-time police officer there, according to the terms of your bylaw would be expensive. Attorney Lessor's clients will not go forward and it will go back to the old owner. The old owner will apply for a variance and you will have to have a legitimate reason for denying the old owner the variance. The security plan would give the public more protection than the current bylaw. From

the evidence before you (the Town) and the Chief of Police says the evidence meets the standard for a variance. There's no factual basis other than people saying the bylaw should be enforced all along.

Joe Zewinski (59 Christian Lane) expressed concerns about Attorney Lessor's statement. Mr. Zewinski questioned the evidence that Attorney Lessor presented. Mr. Zewinski stated that Attorney Lessor has no evidence and can't compare the current owner and the potential owners running the establishment the same way.

Nancy Sherman (147 Chestnut Plain) asked that someone read the language of the variance and the specific conditions and terms.

Attorney David Doneski, Town Council answered Ms. Sherman's question. The standard for the grant of the variance is the applicant must show that public safety and order will be maintained and that the police protection of the Town of Whately will be preserved in the event that such a variance is granted.

Attorney Brian O'Toole (Attorney for current owner of 226 State Road) stated that the allegation as to what happened at Club Castaway, the current owners categorically deny, any suggestion that they condone/permit any illegal activity at Club Castaway. In terms of accidents at a very busy intersection in the Town, nothing was presented or has been presented that show the accidents are as a result of this establishment.

Theresa Billiel (190 Christian Lane) stated that she has been a lifelong resident of Whately and that the people of the Town of Whately wouldn't have asked for a law if there wasn't any action going on? When that was passed at Town meeting there had to have been some action going on. We are the Whately people and we were protecting ourselves.

Anne Fadimen (169 Chestnut Plain) stated that the fact that only 15 complaints have been made to the police certainly doesn't mean that there hasn't been criminal activity though we can't prove that it has. If anecdotal evidence on Yelp is rejected but no police can go in, how do we know what actually is going on. We do know that lap dances are illegal if they were happening. But at the moment the only people inside Club Castaways would be the owners, employees, and the customers and no one in any of those three categories is ever going to call the police and say "a lap dance is happening" even though it is illegal. It seems like there are a variety of things about which one might complain to the police.

Paul Newlin (148 Conway Road) questioned the accidents at the intersection, it's not clear to Mr. Newlin that anybody from Club Castaways was involved in any of those accidents. Mr. Newlin's question was anybody at the Club Castaways, coming or going too, involved in those incidents? And are there accident reports that might document such and if they are and they are incidents of accidents involving customers, Mr. Newlin is concerned that more business there will increase the accident rates that again would be reason to compel a Police present to help perhaps avoid increase accident rates at that dangerous intersection. Mr. Newlin believes it's the most dangerous intersection in Franklin County.

Fred Orloski (Selectboard) discussed that the summary of the accidents that happened at that intersection is public information. FRCOG has done that for years and they continue to update it. Most of those accidents happen during day time hours in clear conditions and not at the time of peak busy hours at the club. But the Selectboard and the Chief cannot say whether or not the accidents are caused by Club Castaways customers.

Chief Sevigne discussed that he doesn't have written documentation available in regards to those accidents. Chief Sevigne can't recall specific crashes that happened because of people coming out of that parking lot and going through the intersection.

Joe Zewinski (59 Christian Lane) stated that at least one incident that happened less than 2 years ago caused by a vehicle leaving Club Castaways parking lot. Mr. Zewinski stated that the car crashed into the Whately Inn sign. Mr. Zewinski was the first responder of that call.

Jonathan Edwards (Selectboard) stated that to say these accidents are all due to Club Castaway customers is erroneous and to say it never has happened would also be erroneous.

Joyce Palmer Fortune (Selectboard) commented on the topic of the hearing, the variance. Joyce felt that the public comment has been good to hear. Ms. Palmer Fortune feels as though social media reviews might not be considered evidence but it made her aware of a problem. Ms. Palmer Fortune main concern with the security plan. Feels like the security personnel will have a conflict of interest. Joyce would prefer that the security detail is employed by the Town and not by the potential owners. Joyce understand that a full-time police detail is a financial burden which seems to be the main objection. Joyce is questioning if the security personnel could be a Town employee instead of a Club Castaways employee?

Neil Abraham (184 Chestnut Plain) stated that the starting point is the ordinance, Chapter 62 Section 8. There is an ambiguity in the first sentence that at least one police officer shall be on duty approved by the Police of Chief. But in the elaboration, it says unless otherwise notified by the Board of Selectman the licensee need not employ a police officer to be present if only entertainment is a band. One might need to interpret whether the current ordinance must stipulate that it must be a police detail of Whately. The burden of finding the police officer is on the licensee which puts minimal burden on our Chief of Police.

Attorney David Doneski, Town Council stated that the general rule when reading a statute, ordinance, or bylaw as a whole, the last sentence of section 62 - 8 addresses the employment of an officer. It does indeed call for a private police detail officer, provided by the licensee, as to be an active law enforcement officer, NOT a retired officer, and it must be approved the Chief.

Jonathan Edward (Selectboard – Chair) questioned how do you read the one police officer shall be on duty when any entertainment is scheduled etc. Does on duty also imply on premises?

Attorney David Doneski, Town Council stated that reading it as a whole the last sentence makes it clear.

Fred Orloski (Selectboard) questioned does it matter if that police officer is arranged by Town but paid for by the establishment? Versus, the establishment hiring that police officer direct, is there a difference?

Attorney David Doneski, Town Counsel stated that in his opinion it would be the licensee that would make the arrangement. The licensee would reach out to Whately Police for approval by the Chief. The financial obligation falls with the licensee.

George (147 Chestnut Plain Road) stated that there are many honorable people here that suspect that there has been illegal activity. Why can't the police park for a couple hours in the parking lot, go in from time to time at random, and collect evidence?

Fred Orloski (Selectboard) stated that even if there is private security. Mr. Orloski would hope that our police department will go into the establishment and do random checks.

Chief of Police, James Sevigne stated that the police do not randomly do compliance checks for the entertainment aspect of things. However, there is compliance checks that goes along with the service of alcohol.

Margaret Christie (175 Chestnut Plain Road) expressed concern that the only way the police can interrupt any legal activity is if they're present. Ms. Christie agrees with Joyce regarding the conflict of interest and feels as though that when Whately residents had the opportunity to speak up about Club Castaways they did and have been consistent over time about their concerns. Ms. Christie urges the Selectboard to deny this variance.

Nicole Lanknowsi (22 North Street) expressed concern about the health and safety of the women employed at Club Castaways. Ms. Lankowski agrees with Joyce regarding the conflict of interest and also feels that the children of Whately have to learn about this type of entertainment at a very young age which is also a health and safety concern. Mr. Lankowski asked the Selectboard to deny this variance.

Attorney Lessor (Attorney for Applicants) stated that in one of the earlier meetings there was a very detailed sexual harassment plan was presented to the Board and that was one of the reasons the Board granted the transfer of the entertainment and liquor license. Attorney Lessor spoke about the new security plan which would have cameras inside the premises and would be available to the police of chief anytime. So if there were any lap dances or illegal activities they would show up on the cameras. Right now, there are no cameras. Part of the new security plan is to provide cameras and available for review at any time and the footage would be held by the new owners. They will be more better security and more less likelihood of any illegal activity were the variance granted.

Joyce Palmer Fortune (Selectboard) asked for clarification in regards to the interior camera. Ms. Palmer Fortune stated she heard Attorney Lessor say that the inside security video would be available to the Chief of Police at any time. However, inside the security agreement it said something about proper judicial procedures or at the discretion of Club Castaways management, can we strike that then from the proposed security agreement?

Paul Newlin (Conway Road) asked a question to Attorney Lessor, if the new security plan is so good and so thorough and better than the bylaw provision then why the potential owners would prefer the bylaw provision if its more of a lax provision, it must be economic.

Julius (potential owner of Club Castaways) expressed his frustration regarding the bylaw and the economic burden that a full-time police detail would put on the establishment. Julius stated that there is no evidence of any issues there and the last time the Town of Whately has to hang onto is the variance.

Jonathan Edwards (Selectboard) strongly encouraged that the summary plan be distributed to the people at the meeting and the people be given a chance to digest it but that would not say that we would allow prevailing wisdom to drive the Selectboard's decision. Mr. Edwards thinks it's the people's right to see the plan and understand what the Selectboard is going to vote on. Strongly encouraged that the Applicants agree to distributing the summary plan.

Julius (potential owner) is there a public policy for giving it to the public? There is a public policy for not giving it the public, safety. What is the public policy for giving it to the public?

Attorney David Doneski, Town Council stated that after reviewing the draft plan as it existed on Tuesday and prepared the summary document doing so with an eye to not disclosing those things that the police chief or the licensee would want to be kept confidential in order to preserve elements of the plan that's one would not want to be sharing with those with ones that want to get around the plan.

Julius (potential owner) has not had a chance to review the summary document.

Neil Abraham (184 Chestnut Plain Road) expressed concern about the board granting the variance to the only establishment in town, then the board has chosen to substitute the judgment of the people of Whately that passed the ordinance. If the Board chooses to do so then the Board should have to come to the next meeting and state the reasons why or why not the variance was granted.

Jonathan Edwards (Selectboard) stated that at some point when the bylaw was passed, a Selectboard or Town meeting decided not to enforce the bylaws. Mr. Edwards wasn't aware that the bylaw existed.

Fred Orloski (Selectboard) stated that the security plan was required by part of the provision of the licenses. The security plan was supposed to be developed with certain criteria in it and subject to the Chief of Police approval. The security plan is going to be put into place regardless of the allowance of the variance.

Joe Zewinski (59 Christian Lane) stated that the summary of the security plan isn't going to tell him anything. There have been extensions and done everything. It's now time for the Selectboard to take the vote.

Catherine (Chestnut Plain Road) suggested that the potential new owners should be given a probationary period and allow them to come back at a later date and request a variance after the Town has seen the kind of operation.

Margaret Christie (175 Chestnut Plain) questioned if there a requirement to notify abutters about public hearings like this?

Brian Domina, Town Administrator, stated that abutters do not need to be notified for a variance but were notified for licenses. Abutters were notified for the licenses.

Fred Orloski (Selectboard) stated if there's evidence that something is happening that isn't approved their licenses can be pulled at any time.

Mike Archbald (147 Westbrook Road) expressed concern with the pub style restaurant menu that is going to be offered at Club Castaways and the remodel of the kitchen and septic system. Mike stated that the Town hasn't seen everything yet.

Theresa Billiel (190 Christian Lane) stated that she wants to know the specifics of the security plan and what kind of guidelines are there. When something happens where it is recorded? Who records it?

Jonathan Edwards (Selectboard) asked question to potential owners, what do they consider their predictive high foot traffic days/nights?

Nicholas and Julius (potential owner) stated that their will be a hold over period. Doesn't expect there to have 95 cars there on day one. If there are 30 people there, it would be a successful night. The idea is to raise the ticket price, which means to raise how much each person spends in the establishment. Hopes Friday and Saturday night are more successful than Monday, Tuesday, and Wednesday.

Jonathan Edwards (Selectboard) stated he agrees with Joyce in regards to having an independent police officer or a Town employee as opposed to a Club Castaways employee that is overseeing the everyday on-going activities. Mr. Edwards suggests that there may be a middle ground to test this out. The middle ground of having a security officer on premise on specific nights. (ex. Thursday, Friday, Saturday)

Attorney David Doneski, Town Council expressed that from an insurance and liability basis he strongly advises not to have a town employee responsible for Club Castaways business or any business.

Neil Abraham (184 Chestnut Plain Road) wanted to remind the Selectboard to amend the security plan regarding the access to the interior video before granting the variance.

Susan Baron (120 North Street) expressed concern that the middle ground of having coverage on Thursday, Fridays, and Saturdays, without access to the video that doesn't work because the public doesn't know what's going the other days of the week.

Fred Orloski (Selectboard) stated that the other days would be like the police are saying that random periodic checks would have to happen.

Jonathan Edwards (Selectboard) stated that the access to the inside video camera has to be changed. The access to the interior video cannot go through the courts.

Chief Sevigne stated that the inside video would cause a privacy concern because of the activities that go on inside and that if the police have access to it then the public has access to it.

Jonathan Edwards (Selectboard) questioned Town Council regarding public record laws and excepts, if privacy is a concern?

Attorney David Doneski, Town Counsel stated that you can construct a plan that includes a provision for access by the police which is not going to be public records. The reason for this all a security issue and both privacy and confidentiality and other concerns here but the police to have access is for enforcement of public safety. To that extent, the security plan and the variance are related.

Jonathan Edwards (Selectboard) stated that the security plan needs to be amended regarding the judicial process for the inside video access. Mr. Edwards suggested that for a 4-month period of time to find a middle ground because the owners have never had experience with this type of establishment and because even our Police Chief has said we don't know what's going to be needed if they hit the numbers of reaching capacity. Between the hours of 7:00p.m. and 1:00a.m. on Thursday, Friday, and Saturday nights we require a police detail and on Monday, Tuesday, and Wednesday night that police detail/duty is not required for a 4-month period of time and then to be revisited when we can access what is working and what is not working.

Fred Orloski (Selectboard) expressed that he thinks it's too many hours and that 9:30p.m.-1:00a.m. is an acceptable time to have an on-duty police officer there. Mr. Orloski questioned the detail shifts.

Chief Sevigne stated that Police detail shifts are in 4-hour blocks.

Neil Abrahams (184 Chestnut Plain Road) questioned who is the employer of the duty/detail officer?

Jonathan Edwards (Selectboard) stated that if it's a police officer on duty the police officer would report to our Police Chief as part of that detail.

Joe Zewinski (59 Christian Lane) expressed concern as to where the 4 months came from? Mr. Zewinski feels as though that the first 4 months isn't going to tell anyone anything. Mr. Zewinski wanted to go on record saying that the Selectboard shouldn't waive that.

George (147 Chestnut Plain Road) asked if the conversation is still about the waiver and that it turned into a brain storming session. The Selectboard needs to have a written proposal on the table.

Joyce Palmer-Fortune (Selectboard) agrees with Jonathan about the road block about getting the interior video footage. As far as granting the variance, the idea of peak times and having a detail police officer at certain times and not others, Ms. Palmer Fortune hasn't thought about that but there should be a time put on the proposal.

Jonathan Edwards (Selectboard) stated that Town Administrator, Brian Domina and himself could sit down and draft what Jonathan is proposing, make the amendments to the security plan, get it out to other staff, get it on the website in a week, and a meeting can be held to amend the draft at a public hearing with a 30-minute public comment/hearing limit.

Fred Orloski (Selectboard) expressed that they have heard many repeating comments tonight and the trend is the full-time police detail. The Board feels they could amend the full-time part.

Maryann Simon (1 Chestnut Plain Road) expressed concern that one of the potential owners shook his head when he talked about making the interior video available. Mr. Simon wants the Selectboard to make sure that the potential owners would except the amendment to the security plan.

Nicholas (potential owner) stated that the incentive to run a good business out ways the risk of not running a good business. The 15-20 employees there now are ready for change of ownership. Nicholas and Julius worked hard on constructing that security plan and spend 2 weeks on that plan and worked with every abutter possible to grant their requests. Having someone in the Club to maintain order is better than what is at the establishment now.

Jonathan Edwards (Selectboard) stated that he doesn't see the problem with allowing our Police Chief to look at the interior video footage.

Mark Dejackome (security consultant) stated that Attorney Lessor, Chief of Police and himself put the security plan together. The issues seem to be the camera, the external cameras can be used by the Chief of Police in real time however the problem with the interior camera becomes a privacy concern which is the why the part of the judicial review, if needed, or if Club Castaways management said fine. It all depends on the security being looked at, if crime is being looked the potential owners will work with the Whately Police Department. However, depending on the privacy rights of the people that are in there, that's why the judicial review is in the security plan. The potential owners have every intention of working with the Whately Police Department or any law enforcement agency to make that a safe and secure place.

Anne Fadimen (169 Chestnut Plain) stated that the only reason why a full-time police officer shouldn't be on duty is because it costs too much money. If the only objection to that is economic then what is the difference between a police officer on duty, expensive to the potential owners, and a video camera whose contents would be visible to only one police officer, at a lower cost?

Julius (potential owner) stated that they're not going to open their business up for every police phone call. Julius doesn't want a police officer walking in everyday because someone said something it's like using yelp reviews as evidence even though its all hearsay.

Fred Baron (120 North Street) clarified Anne Fadiman's question. Without a variance there will be a police officer with his eyes in the location, and the problem with that is financial. Why is that not a privacy concern but the camera is?



Jonathan Edwards (Selectboard) clarified with Joyce regarding the making the amendments that Mr. Edwards suggested regarding the security plan and the middle ground for the variance to be drafted by Town Administrator, Brian Domina, and Mr. Edwards to be publicly displayed a week from July 25<sup>th</sup>, 2018?

Joyce Palmer-Fortune (Selectboard) – stated that for the security plan to work on the wording regarding the interior cameras and the other middle ground items, identity times for the police detail but it would be not 100 percent of the time. Getting it out a week ahead of time and getting it out to the public and have something more concrete regarding the security plan. Mr. Palmer-Fortune agrees with that.

Fred Orloski (Selectboard) stated that the Selectboard member should be seeing it before it's presented the rest of the town. Mr. Orloski wants the public comments to be given before hand and can be drafted and amended in the proposal. Questioned town counsel, what our proposal is for the variance, if there are certain hours for which a police detail is required is that public information or is that private information?

Attorney David Doneski, Town Counsel stated that is public information and the variance relates to the requirement of an officer. In regards to the proposal, there would need to be one document, people could separate their comments, but creating the composite is going to implicate the open meeting law because it effectively deliberating remotely.

Jonathan Edwards (Selectboard) clarified that the security plan is going to stay the security plan but then we're creating elements whether to grant or not grant the variance.

Fred Orloski (Selectboard) expressed concern regarding the question on the variance. Mr. Orloski feels the proposal should have all 3 board members comments.

Jonathan Edwards (Selectboard) stated that all 3 board members would be able to comment on the proposal before the public sees it.

Donna Wiley (184 Chestnut Plain Road) stated know that this isn't the same as a warrant. Ms. Wiley feels that someone needs to draft something that the Selectboard can vote on.

Paul Newlin (148 Conway Road) stated that in order to not violate an open meeting law. The Selectboard could write up all comments and send them to Town Administrator, Brian Domina. Then Brian could propose an article or response to your comments and can draft a Motion.

Attorney David Doneski, Town Counsel suggests the Selectboard would be presenting a notice that says "I will offer this meeting at this meeting of the board, the following motion. It would be published so the other board members will be able to see it in advance. Then when the Selectboard is all convened you may offer suggests and amendments and it's that deliberative process by which the Selectboard would have to come to a determination.

Jonathan makes a motion that Mr. Edwards would sit down with Town Administrator, Brian Domina and draft a proposal which will be presented to Joyce Palmer Fortune and Fred Orloski, 24 hours before it will be posted on the website.

Jonathan makes a motion to continue the hearing to August 8<sup>th</sup>, 2018 at 6:00 pm at 4 Sandy Lane Whately, MA and in preparation for that continued hearing. Brian and I will craft a document that cite amendments discussed in the security plan regarding internal security cameras and language that amendments to variance request.

Roll call vote: Jonathan – yes, Fred – yes, Joyce – yes. All in Favor.

Susan Baron (120 North Street) stated that now that the variance is postponed for 2 weeks, what can be done to enforcement Chapter 16/14B? It's about our public health and safety. Can the police be asked to make random stops in there and speak to the staff and let them know?

Jonathan Edwards (Selectboard) stated absolutely.

### **Old Business**

**Town Hall Project Updates** – Brian discussed that the general contractor continues to work on the punch list items. Hoping for completion by the end of the week. It will depend on how quick the punch list will be done.

### **New Business**

**2018 State Primary** – Sign Election Warrant – Fred and Jonathan signed the election warrant for September 4<sup>th</sup>, 2018 – 7:00am to 8:00pm.

**Selectboard Department Liaison Assignments - FY18** – Fred – Water and Fire Department, Jonathan – Police and Highway Department, and Joyce – Town Offices

FY 19 – Fred – Fire and Water Department, Jonathan – Town Offices, Highway Department, and Town Administrator, Joyce – Police Department and Schools. Roll call vote: Jonathan – yes, Fred – yes, Joyce – yes. All in Favor.

**Will Bike 4 Food Event on September 30<sup>th</sup>, 2018** – Request to use Town Property at 4 Sandy Lane. Annual request that they can have a water table on Long Plain Road and a porta potty which would be located on the corner of 4 Sandy Lane. Brian will ask that the Town be listed as an additional insured.

**Historic Preservation Restriction** – 194 Chestnut Plain Road – Brian informed the Board that he has not received the final copy back from the Mass Historic Commission. No action.

**Franklin Regional Planning Board Representative – Appointment of Representative** – Brian stated there's a Selectboard representative and a Planning board representative. Brian will continue being the Selectboard representative until further notice.

**Request to Increase Library Petty Cash Limit from \$100 to \$200** - Brian discussed the request for how much cash the library can have on hand. They're bumping up against their current limit. Their current limit is \$125.00 they're asking for an increase of \$75.00. Roll call vote: Jonathan – yes, Fred – yes, Joyce – yes. All in Favor of increasing the Library petty cash limit to \$200.

### **Town Administrator Updates**

1. Brian received an email from Michelle Padula from the Department of Agricultural notifying the Town that they received 2 applications from Whately land owners for the APR program. These applications still have to go through the process. The applications were received from Francis Sobieski for a parcel on River Road and Lawrence and Nancy Ashman for a parcel on Long Plain Road. If approved by the Department of Agricultural, the Town should be anticipating an application for CPA funds to cover the match.
2. Brian received notification that there is a Housing Choice Small Town Program. Brian forwarded the information to the Housing Committee. Brian encouraged the Housing Committee to discuss the Grant at a future meeting.
3. Brian provided an update regarding the West Whately and East Whately cemeteries. Brian has been working with Darcy Tozier, Cemetery Commissioner, on putting together their requests for quotes for phase III of the cemetery stones restoration. \$30,000 of CPA funds were appropriated

at the annual town meeting. The Town will be giving that amount out for grave marker restoration at the West Whately and East Whately cemeteries,

4. Brian met with Keith Bardwell, Bob Lesko, and Mark Bussiere to discuss the potential purchase of a used generator which was used at Deerfield Academy. The generator would be installed at the elementary school which is the Town's local emergency shelter. Brian is waiting to hear back from Mark Bussiere on the scope of work and total cost estimate for installation.
5. Brian provided an update regarding the Complete Streets Prioritization Plan. The plan was submitted to Mass DOT. It still says pending review. Brian hopes the plan will be approved in time to submit an application for funding this fall.. Jonathan recommended sending letters to the appropriate individuals to support the Town's request.
6. Fred informed the Public of a chair cleaning session on August 1<sup>st</sup>, 2018 from 4:00pm to 7:00pm at the Town Hall. There are over 150 chairs that need to be cleaned.

Adjourn – Motion to adjourn 8:26pm.

Roll call vote: Jonathan – yes, Fred – yes, Joyce – yes. All in Favor.

Next Meeting dates (August 8<sup>th</sup>, 2018) (August 29<sup>th</sup>, 2018)

Respectfully submitted,

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Brian Domina, Town Administrator

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

Meeting Minutes – June 11<sup>th</sup>, 2018

Variance Request from Attorney Lesser dated June 14, 2018

2018 State Primary Election Warrant

FY18 and FY19 Department Liaisons Memorandum

Email from Amanda Reynolds dated July 19, 2018

FRCOG, Appointment of Representative Letter dated July 3, 2018

Email from Michele Padula MA. Dept. of Agricultural Resources dated July 16, 2018

Letter from the Department of Housing and Community Development dated July 13, 2018