

Minutes
Williamsburg Board of Selectmen
December 17, 2020

The members of the Board of Selectmen met in regular session on Thursday, December 17, 2020, by video conference call. The chair called the meeting to order at 9:02 a.m.

Present: William Sayre, David Mathers and Denise Banister

Also present: Amy Bisbee (Planning Board), Charles Dudek (Finance), David Eisenthal (Unibank), Charlene Nardi (Town Administrator), Nathan Rosewarne (Treasurer), Robert Ross, Lisa Sheehy (Finance), Peter Spotts (reporter, Country Journal), Eleanor Warnock (Administrative Assistant)

1. Refunding of bonds – David Eisenthal of Unibank, fiscal advisor to the town, introduced himself and said that the bonds for the Dunphy School and the work on the highway garage are now redeemable and can be refinanced. This would involve a full bond issue of \$3.6 million and going to the capital market. Projected costs would be \$90,000. The projected savings would be \$305,000, or \$28,000 per year, or 8 cents off on the tax rate. He recommended moving ahead with doing this. He explained some of the details in the analysis. The projected schedule includes: Select Board vote in mid-February, settlement date for purchasing March 3, pay off old bonds April 5. The process can go ahead without incurring costs until late January. Treasurer Nathan Rosewarne and Town Administrator Charlene Nardi recommended proceeding, and also recommended that the projected savings not drop below a threshold of \$200,000; if they do then the process should be stopped. David Eisenthal will keep doing the analysis and advise Nate and Charlene. The Board agreed to the recommendation to proceed as outlined.

2. Planning Board – proposed Zoning Bylaw changes – Amy Bisbee, chair of the Planning Board, reported that they are working on proposing changes to the Zoning Bylaw, including Detached Accessory apartments, and minor changes to the Solar regulations.

Marijuana – They are exploring rules for marijuana cultivation. It is currently allowed in the Rural zone, and they are thinking of updating to allow it just in Village Mixed, like other marijuana businesses, or to allow a limited amount in Rural. They feel that marijuana cultivation is a 24 hour industrial business and doesn't really belong in the Rural zone, but they want to see what people in town think. Another possibility is an overlay zone, identifying where there would be least impact on neighbors and the neighborhood. Several Selectmen expressed caution, not wanting to set policy just because one group doesn't want the business nearby, and not wanting to discourage business. They also noted that a Rural landowner might have enough land so that there would be minimal impact on neighbors, and that a marijuana business might be more intrusive in the more populated Village Mixed area. Amy Bisbee will take the feedback back to the Planning Board.

Large scale solar farms – Amy Bisbee also reported the PVPC has model regulations for large scale solar farms and they will be looking at them.

She added that any changes to the Zoning Bylaws would involve a public informational hearing, possibly more than one, then when the changes are finalized, a formal public hearing, presumably by zoom, then to Town Meeting for a vote. Board members thanked Amy and the Planning Board for staying on top of these issues.

3. Appointments – Cultural Council – **Motion** was made and seconded (DM/DB) to appoint Dianne Martin to the Cultural Council for a term to expire June 30, 2021. **So voted** (DM aye, DB aye, WS aye).

Election Warden – **Motion** was made and seconded (DM/DB) to appoint Glenda Cresto as an Election Warden for a term to expire June 30, 2021. **So voted** (DM aye, DB aye, WS aye).

4. Licenses –

Report – The Administrative Assistant presented the licenses for annual renewal. She reported that Daru Enterprises, d/b/a Main Street Package Store (the outgoing owner, David Urbanski) is renewing its liquor license because the transfer to Ambika, Inc. (new owner, Dhanesh Patel) will not take place until January. The Williamsburg Snack Bar Inc. (former owner, Rich and Diane Karowski) is not renewing. Williamsburg Snack Bar LLC (new owner, Meaghan Dunphy Jones) will be applying for a new license rather than a transfer. The Fire Department has informed the Board that the annual inspections will not take place until January, because of the recent increase in COVID-19 rates. They recommend that the licenses be issued without an inspection at this time. Meanwhile the licensees are being provided a checklist so that they can do a self-check. The Administrative Assistant reported that all the paperwork for the licenses was in order, except for one licensee, and she recommended that that business's licenses be approved pending receipt of the required paperwork.

American Legion licenses – **Motion** was made and seconded (DB/WS) to grant to the American Legion a Club Liquor License and Juke Box and Automatic Amusement Device Licenses. **So voted** (DB aye, WS aye, DM abstaining as officer of the American Legion).

Liquor licenses – It was noted Nickolaos Sierros, owner of A-1 Hilltown Pizza, has just died. Board members felt it was appropriate to move forward with the approval of his license. **Motion** was made and seconded (DB/DM) to grant the following licenses:

Restaurants – All Alcohol

Bread Euphoria, Inc.

Dot's Golf LLC

Restaurants – Wine and Malt

Nickolaos Sierros, dba A-1 Hilltown Pizza

LLL Restaurant, LLC, dba Panda Garden

Retail Package Stores – All Alcohol

Daru Enterprises, Inc., dba Main Street Package Store

Caroline Smith and Micheline Champagne, dba Pat's

Retail Package Stores – Wine and Malt

Williamsburg Market, Inc.

Farmer Brewery Pouring Permit

Brewmasters Brewing Services, LLC, dba Burgy Brews

General-On-Premises

The Yellow Barn, Inc.

Clubs

Burgy Bullets Snowmobile Club, Inc.

So voted (DB aye, DM aye, WS aye).

Common Victualler's licenses – David Mathers, Selectman and officer of the American Legion, reported that he had been notified by the current Health Agent that the Legion should apply for a Common Victualler's license. A previous Health Agent had decided that the Legion, and a number of other businesses in town, did not fit the criteria for a Common Victualler's license and the license would not be required. Although no official notification has been received by the current Health Agent, the Board decided to go ahead and approve the license for the Legion.

Motion was made and seconded (DB/DM) to grant the following licenses:

Nikolaos Sierros, dba A-1 Hilltown Pizza
Bread Euphoria, Inc.
Brewmasters Brewing Services LLC, dba Burgy Brews
Dot's Golf, LLC
Pleasant St. Donuts LLC, dba Dunkin Donuts
Local Burger, Inc., dba Local Burgy
LLL Restaurant, LLC, dba Panda Garden

So voted (DB aye, DM aye, WS aye).

Motion was made and seconded (DB/WS) to approve a Common Victualler's Licenses for the American Legion pending receipt of the proper paperwork. **So voted** (DB aye, WS aye, DM abstaining).

Class II Used Car Dealer's Licenses – **Motion** was made and seconded (DB/DM) to grant the following licenses:

Paul E. Bacon, dba Bacon's Equipment
Keith Moquin, dba Burgy Buggy's Auto Sales
Cichy's Garage, Inc.
Lorin DeLisle, dba DeLisle's Auto Body
Depot Motor Sales, LLC
Worthington Air Automotive, Inc.

So voted (DB aye, DM aye, WS aye).

Juke Box License – **Motion** was made and seconded (DB/DM) to grant the following license:

Dot's Golf, LLC

So voted (DB aye, DM aye, WS aye).

Board members will sign the license certificates and also the ABCC Renewal Certification.

5. Town Administrator's report –

Department updates – Town Administrator Charlene Nardi reported updates from the departments. Highway Department is doing well after the recent storm. The Fire Department is taking a break from trainings until after the first of the year. The library is doing curbside delivery and no-touch browsing of new items. The Memorandum of Agreement between the library and the school has been completed. The school continues to operate in a hybrid model. The Fire Department and library are hosting Santa and Mrs. Claus for a drive-through at the school. The Senior Center is working mostly remotely. Three new members have joined the COA Advisory Board.

Covid-19 – There are seven active cases in town. Alex White has been hired by the Foothills Health District to do education, work with businesses and support Health Agent Mark Bushee, and Connie Schwaiger, nurse, is following up with people who test positive for Covid-19 and is

doing contact tracing. Masks and other items are in good supply. When the vaccine comes, the town is prepared to set up a vaccination dispensing site, assuming that another organization will administer the actual vaccine. Town liability is covered by the town's insurance.

Gas station update – Charlene reported that Robert Ross, the business owner, met with the Zoning Board of Appeals informally. Mr. Ross said that the ZBA had outlined his options and he will be applying for a Used Car Dealers License in order to be compliant.

Sign update – Charlene reported that the owner of the sign said that they had permission from former Highway Supervisor Bill Turner, and had also reached out to the City of Northampton, whose land abuts the right of way. The Board concluded that this sign is not compliant with the town Zoning Bylaw and so needs to be removed. There was some discussion about whether signs are allowed in the town right of way but no conclusion.

Virtual town meeting – Charlene said that the new provision allowing for virtual town meetings was for representative town meetings and did not apply to open town meetings. The problem would be how to allow everyone to vote; with a representative meeting there is a definite number of people. In any case, the town is not planning a special town meeting until spring, when it can be in person outdoors.

Police Chief contract – Charlene and Select Board Chair Williams Sayre will be meeting with the Police Chief.

Newsletter – Charlene is planning a town newsletter, to go out in February or March. It will include an article from the OPM Steering Committee to let residents know about the work that has been done and the next steps for the Public Safety Complex.

FY20 audit fraud questionnaire – The standard yearly auditor's questionnaire about fraud was filled out by the chair. He included comments about a zoombombing event, and enhanced protocols to protect cybersecurity. There was also an unclear question about laws or regulations that may have a fundamental effect on the town, where there are of course many such regulations.

Chesterfield salary survey – Charlene said she had received the Chesterfield survey. She is waiting for a survey from Deerfield.

Marijuana dispensary interest – A group has expressed interest in marijuana sales. Charlene sent them the Request for Information from last summer, which had no response. She recommended going out again with the request in the spring.

Mountain Street project – Charlene reported that she, Select Board Chair William Sayre, and Highway Superintendent Dan Banister met with State Representative Blais, State Senators Hinds and Comerford, and Whately town officials. MassDOT has proposed that the town pay \$239,020 to complete the engineering; this is 17% of the total cost of the engineering. The questions are whether the town's amount needs to be paid upfront or whether it can be spread out over the next four years, and how to fund the amount, whether through Chapter 90 or a Town Meeting article. Rep. Blais is working to get the project on the 2025 TIP, to coordinate with Whately's portion through the FRCOG TIP. The Board accepted the proposal. It is expected that the City of Northampton will pick up any additional engineering and construction costs related to the drainage. Charlene will get back to Rep. Blais to say that the town accepts the proposal and will work with the Finance Committee on how to fund the town's portion. The Board expressed appreciation for the work of Rep. Blais and Sen. Hinds in moving this project forward.

Highway Truck 6 – The 10-wheeler has been fixed and has been plowing all night.

Warrant – The accountant is working from home, and a process has been set up to get the paperwork back and forth.

Public Safety Complex analysis – Charlene and chair William Sayre, Finance chair Paul Wetzel, OPM Steering chair Jim Ayres, and Treasurer Nathan Rosewarne met with David Eisenthal of Unibank about funding for the Public Safety Complex and the impact on the tax rate. The square footage is now at 7600 square feet, down from 10-12,000, and at this time they are assuming a \$5.3 million project, with \$4.3 million borrowed and \$1 million from the stabilization fund.

They looked at various options including timing and term of bond and other sources of funds.

Municipal Vulnerability Preparedness (MVP) grant – Charlene met with various town leaders about ideas for the MVP grant. The Public Safety Complex is still the top priority but it may not work well for this grant. Other possibilities are purchase of property to protect the watershed, the Route 9 water main project, culverts, and the Mill River Greenway. There is no limit on the number of projects or applications. There was a thought that all of these ideas could be together to mitigate flooding, to protect the Public Safety Complex. More conversation with the state is needed about what will make a strong application. Gaby Immerman offered to draft the grant application.

Tax rate – Denise Banister reported that the Assessors submitted the tax rate materials to the state yesterday. The tax rate will be 35 cents more, or \$20.97. As Select Board member she signed the form LA5 confirming the single tax rate.

Outside meetings – When there is an outside meeting that involves the town, two Selectmen cannot attend, creating a quorum of the Board, unless it is intended and designed to be a public meeting. Not every meeting is intended to be a public meeting. It is expected that those attending will bring back the topic to the Board for a full public discussion. The issue came up around the meeting with the state about funding the remaining engineering costs of Mountain Street. It was acknowledged that this process is a bit more cumbersome than if all Selectmen could attend, but is in keeping with the Open Meeting Law.

6. Minutes – **Motion** was made and seconded (DM/DB) to approve the minutes of December 3. **So voted** (DM aye, DB aye, WS aye.) **Motion** was made and seconded (DM/DB) to approve the minutes of the December 11 special meeting (Tax Classification). **So voted** (DM aye, DB aye, WS aye.) **Motion** was made and seconded (DM/DB) to approve the minutes of the November 12 OPM Steering Committee meeting. **So voted** (DM aye, DB aye, WS aye.)

7. Warrant – Selectman Dave Mathers will review and sign the warrant.

Documents used

Agenda and notes

Letters of interest

List of licenses

Audit fraud questionnaire

Minutes

Adjourned at 11:18 a.m.

Approved:

Clerk