

Minutes
Williamsburg Board of Selectmen
April 27, 2017

The members of the Board of Selectmen met in regular session on Thursday, April 27, 2017, at the town office. The chair called the meeting to order at 7:00 p.m. The chair noted that the meeting was being recorded, at the request of the reporter.

Present: Denise Banister, William Sayre and David Mathers

Also present: Ann Braastad, David Braastad, Sue Davis (Represent WMass), Norma P. Kellogg (honoree), Eileen Leahy (Comcast), Charlene Nardi (Town Administrator), Margaret McCarthy Ricci (COA), Peter Spotts (reporter, Country Journal), Daryl Springman (Fire Department), Ally Stanek, Grace Stanek, Jeana Stanek, Eleanor Warnock (Administrative Assistant), David West (honoree), Lisa West, Nancy West, Tom West, Marie Westburg (Senior Center)

Conservation: Linda Babcock, Marcianna Caplis, Mary Dudek, Joe Rogers, Andrew MacLachlan

Indivisible Williamsburg: Jean O'Neil, Penny Schultz, Rosemarie Traina, Karin McGowan

1. Annual report dedication – Norma Kellogg and David West – Town Administrator Charlene Nardi spoke for the Board, saying that as the town thinks about the future, it needs to look at its past and what it values. Norma Kellogg is a long-time town volunteer who has worked tirelessly behind the scenes, always making sure things get done, filling in on whatever is needed – a steady force within the community. Dave West is a life-long community member, passionate about celebrating our history, whose love for the town and his commitment to the community are evident in his participation in many organizations and activities. Together they represent the town's values and help create the bedrock of the community. The Board of Selectmen dedicated the 2016 Annual Report to Norma Kellogg and David West.

2. Conservation Commission – The Conservation Committee presented information about their work. Most of what they do is with wetlands regulation. They manage the three, soon to be four, conservation lands in town. They would like to do more proactive open space planning. They noted that all permits have been approvals, because they work with people on what is proposed. They do not search out violators. There are issues about making records more usable, both organizing by address as well as by names, and digitizing so they are searchable. The committee would like to have a good map of town properties to see who is administering each one, and to apply for grants for restoration and acquisition.

3. Comcast committee – Town Administrator Charlene Nardi reported for the committee. They had met with Eileen Leahy of Comcast and negotiated to get cable service for 27 of the town's 34 unserved households. Comcast will be building out the remainder of Ashfield Road and Nash Hill Road and a small section of Old Depot Road. The remaining seven households – unserved because of the cost of reaching those houses – are on Unquomunk, Chesterfield, and the lower end of Depot Road. None of the 27 added households met the usual requirements but the Committee worked to get them included, at a cost to Comcast of more than \$50,000. The franchise fee remains at 1% and will be used to update and maintain Channel 15 equipment. The

cost to users will not increase. **Motion** was made and seconded (DM/WS) to agree with the committee's recommendation and sign the contract with Comcast for May 2017 to May 2027. Charlene noted that working with Eileen Leahy has been wonderful. The Board thanked the committee for its work.

4. Fire Department – Deputy Chief Daryl Springman made the department's regular report. Notable incidents included a bark mulch fire at Lashway's. The new engine is due next week. He reported on the condition of the stations, including clogged chimney and possibility of lead paint, the tight budget for repairs, and the Iamresponding program as backup to radio notification.

Civil citations – He said that although there are not a lot of problems in Williamsburg, the department would like to be able to issue civil citations occasionally, to enforce extreme or habitual fire code violations with fines. Part of the process would be to have a hearing agent as part of the appeal process; Northampton, Easthampton and Amherst all use the same person. Board members felt they needed more information.

The chair read a letter from the Town of Conway thanking the Fire Department for the emergency response to the February 25 tornado.

5. Town Meeting petition warrant article – Sue Davis of Haydenville and Represent Us presented the proposed warrant article about getting money out of government to lessen corruption. It is part of a non-partisan effort to get resolutions passed in towns to give a message to state legislators; anti-corruption legislation has been watered down by legislators in other states. Several local towns have already approved the resolution unanimously. Board members thanked her and her colleagues for bringing this forward.

6. Helen E. James Building – Senior Center request – Marie Westburg, Director of the Senior Center, renewed her request to the Select Board to consider use of some space at the Helen E. James Building. She pointed out that the Facilities Master Plan Committee has recommended that the Senior Center be moved to the James Building. She described the good response to senior programs, the prospect of intergenerational programs, and the inadequacy of the current space. She proposed two rooms on Tuesday afternoons, 3 to 7 p.m. Concerns were raised about cleaning, securing the space, who would be responsible, cost of heat, cost of improving the driveway, general cost of maintaining the building, and requests from other departments for use of the space. Charlene will ask Building Supervisor John Hoogstraten to visit the building with Marie.

7. Health insurance – Town Administrator Charlene Nardi reported that Town Counsel recommends accepting the three sections M.G.L. c. 32B, sections 21-23, to allow the town to make decisions about health plans. It can be done by vote of the Select Board. To allow time for Board members to read the sections carefully, it will be brought back to the next meeting.

8. Highland Ambulance contract – Board members reviewed the Highland Ambulance contract. Town Administrator Charlene pointed out that it rolls over automatically and has not been updated for a while; the towns plan to propose a draft revision with updates. It was suggested that the Board get a copy of the bylaws to understand the organization's structure. The town's

representative will see that the town has appropriate coverage but is not obligated to vote according to the wishes of the town.

9. Green Communities contract amendment – **Motion** was made and seconded (DM/WS) to ratify the chair's signing of the Green Communities contract amendment, retroactively, to expedite payment of funds. **So voted** (3-0).

10. Sculpture removal – Town Administrator Charlene Nardi reported that sculptor James Kitchen requested extension for removing the Stumbling Blocks sculpture to June 6, when it will move to Worcester; he confirmed that the smaller sculpture will be moved by April 30. **Motion** was made and seconded (DM/WS) to extend the date for removal of the Stumbling Blocks sculpture to June 6. **So voted** (3-0).

11. South Main Street utility poles – Dave Mathers reported that Highway Superintendent Bill Turner recommends using precast concrete instead of granite; it will be a straight berm with gravel or stone between the poles. Poles will be moved by National Grid and Verizon. Some issues have been found. Sidewalk money will be used.

12. Appointments – Open Space Committee – **Motion** was made and seconded (DM/WS) to appoint Melissa Adams and Markelle Smith to the Open Space Committee, terms to expire June 30, 2018. **So voted** (3-0).

Planning Board – **Motion** was made and seconded (DM/WS) to appoint Jean O'Neil to the Planning Board, for a term to expire June 30, 2017. This is to fill a vacancy; she can then be reappointed to a full five year term. **So voted** (3-0).

13. Licenses – Live Entertainment – **Motion** was made and seconded (DM/WS) to approve the license for Tom Adams and the Angel Park Music Series for Thursdays, July 6, 13, 20, 27, August 3, 10, 17, 24. **So voted** (3-0). **Motion** was made and seconded (DM/WS) to approve live entertainment, a D.J., for Beaver Brook Lounge for Saturday May 6 and Tuesday May 16 (9-11:45 p.m.), and Saturday May 27 (6-10 p.m.). **So voted** (3-0).

14. Annual Town Meeting warrant – Board members reviewed the draft town meeting warrant. Discussion included some clarifying questions, and concern that the articles about drive-throughs and signs would be too unfriendly to businesses.

15. Mass. Town Clerks' Association – It was noted that there have been a lot of elections this year and a lot of change in election laws, and that Town Clerk Brenda Lessard does a great job and has been recognized for her work. **Motion** was made and seconded (DM/WS) to authorize the chair to sign the nomination form for Brenda Lessard for Town Clerk of the Year. **So voted** (3-0).

16. Town Administrator's report –

Town Offices heating system – Town Administrator Charlene Nardi reported that more leaks have been found; contractors are planning a walk-through of all joints; Guardian says they will make good on any issues that are due to installation.

Capital Plan – William Sayre has been working with chair Dick Kisloski on the capital plan to project future debt.

John Deere backhoe repair – She reported that Highway Superintendent Bill Turner says he is requesting the town meeting article for the repair since the backhoe is not being replaced this year and his budget does not have the money for the repair.

Free cash – Charlene had drawn up a spreadsheet predicting what free cash would look like after Town Meeting. Finance Committee is discussing using \$243,000 of free cash for the operating budget to reduce the tax increase. The town has a lot of free cash and people are concerned about overtaxing. The Accountant is very conservative on estimating revenues. The town has never used free cash to balance the budget; if it does not this year, an override will be needed. Charlene will talk to Bond Counsel Clark Rowell about any possible effect on the town's bond rating.

Helen E. James Building structural integrity – A walk-through was suggested. Charlene will talk to Jim Locke or Austin Design, who did a study of Old Town Hall.

Elevator numbers and letters – Resident John Merritt felt that elevator floors could be confusing to elders and he put up temporary letters and numbers. Board members expressed appreciation.

Highway breakroom electric wiring – The problem of blowing fuses will be fixed.

Debt to budget ratio – Charlene reported that a 10% ratio is recommended for debt within the levy limit; most of the town's debt is outside the levy limit; some say the 10% ratio should be for overall debt.

Site visit from DOER regarding Green Communities projects – Planned for May 2.

Town counsel update on 45 Mountain Street lawsuit – Both sides have asked for summary judgment.

Highway employee injury – Highway employee injured his shoulder April 25; it is unknown when he will return to work.

17. Miscellaneous –

Annual town report – Charlene reported that Administrative Assistant Eleanor Warnock did a fabulous job on the town report.

Debris – Highway Department cleaned up debris in the Town Offices parking lot. Board members appreciated it.

Tree on Greenway extension – It was reported that the tree was cleaned up and people are happy.

Other problems – Other problems were mentioned and will be referred to Highway Superintendent, including sink hole by the American Legion, tree by the General Store, washout water pipe.

Whately bridge past Nash Hill on Williamsburg Road – Whately got a small bridge grant to fix the bridge; some people prefer the bridge closed. Board members felt it was a good backup route in case of emergency.

Civil citations – Further discussion included alternative ways of handling violations, such as referring to the Zoning Enforcement Officer or State Fire Marshal, or not issuing permits. Communication is preferred rather than using a heavy hand. Concern was expressed about bringing in an outsider who doesn't know the circumstances or the town. It was noted that there are no issues now.

Going after violators – It was mentioned that various committees or departments may be going after people proactively and unnecessarily; this is not who we want the town to be.

18. Executive session – Hodgkins v. ZBA – **Motion** was made and seconded (DM/WS) to go into executive session under M.G.L. 30A, Section 21(a)(3), to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body, in the matter of Thomas Hodgkins et al. v. Williamsburg Zoning Board of Appeals, Hampshire Superior Court Civil Action No. 1580CV00265. The chair stated that an open discussion would have a detrimental effect on the Board’s litigation strategy and that the Board would return to open session. **So voted** (DB aye, DM aye, WS aye). The Board went into executive session at 10:15 p.m. and returned to open session at 10:30 p.m.

19. Executive session – Personnel – Police Chief contract – **Motion** was made and seconded (WS/DM) to go into executive session under M.G.L. c. 30A, sec. 21(a)(2), to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct contract negotiations with nonunion personnel. The chair stated that the Board would return to open session. **So voted** (DB aye, DM aye, WS aye). The Board went into executive session at 10:30 p.m. and returned to open session at 10:45 p.m.

20. Minutes – **Motion** was made and seconded (DM/WS) to approve the minutes of the employee evaluation of Town Administrator Charlene Nardi. **So voted** (3-0). **Motion** was made and seconded (DM/WS) to approve the minutes of the employee evaluation of Administrative Assistant Eleanor Warnock. **So voted** (3-0). **Motion** was made and seconded (DM/WS) to approve the minutes of the meeting of April 19 with Highland Ambulance Board as presented. **So voted** (3-0). **Motion** was made and seconded (DM/WS) to approve the minutes of the All Boards Meeting Tuesday April 18 as presented. **So voted** (3-0).

21. Warrant – approved and signed the warrant.

Documents used

- Agenda and notes
- Comcast contract
- Letter from Senior Center about use of Helen E. James Building
- Highland Ambulance contract
- Appointment letters of interest
- Licenses
- Annual town meeting warrant draft
- Warrant and expense report

Adjourned at 11:10 p.m.

Approved:

Clerk