

*Minutes*  
*Williamsburg Board of Selectmen*  
*June 8, 2017*

The members of the Board of Selectmen met in regular session on Thursday, June 8, 2017, at the town office, with part of the meeting at the town offices Planning Board Room. The chair called the meeting to order at 6:00 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: Kristin DeBoer (Kestrel Land Trust), Shayla Howe (Animal Control Officer), Charlene Nardi (Town Administrator), Dick Kisloski, Norma Locke, Ruthie Oland, Peter Spotts (reporter, Country Journal), Eleanor Warnock (Administrative Assistant)

Conservation: Marcianna Caplis, Mary Dudek, Andrew MacLachlan, Joseph Rogers, Linda Babcock (Administrative Assistant)

1. Horse Mountain – joint meeting with Conservation Commission – Town Administrator Charlene Nardi introduced the issue of the driveway maintenance agreement for the common driveway. The former owner neglected to remove the parcels from the agreement, and the new owner does not wish to release the town. Kristin DeBoer of the Kestrel Trust noted that there are two towns involved in the conservation project, with the bulk of the land being in Hatfield. In order to deal with the driveway maintenance agreement, she spelled out two options, one is to address the concerns of the new owner, namely, to prohibit hunting on the parcels both in Hatfield and Williamsburg, and offering to pay \$5000, to come from the Kestrel Trust, in exchange for releasing the town from the maintenance agreement, and the other is to accept the driveway maintenance agreement for the 160 or so feet and use the \$5000 from Kestrel to cover the maintenance costs. She added that there are no plans for the town to use the driveway nor to widen or do anything to it; access will be by the trail alongside the driveway, parking is across the street. Board and committee members reviewed the driveway maintenance agreement, letter from attorney, and map. The easement for the right of way continues independent of the driveway maintenance agreement. Concerning the no-hunting provision, the land would be under the care of the Conservation Commission and they can regulate the use of the land, including barring hunting; in addition, after the buffer zones around houses are taken into consideration, only 20 of the 34 acres would be available for hunting anyway; also one person noted that there is a lot of other land surrounding the parcel that does allow hunting and another person pointed out on the other hand that there is not a lot of land in the town available for hunting. Initial discussion leaned toward voting to approve the no-hunting condition, offering the payment and extinguishing the agreement. Mrs. Locke, and Dick Kisloski speaking for her, said that her house is in Hatfield but her access is through the driveway in Williamsburg, that she has a right of way along the driveway and in fact paved it and for years was the one maintaining the driveway, until the Coles, the former owners, built the big house and driveway plowing was shared. The only written agreement is the 2016 one in question with the Coles. The Kestrel attorney, on the phone, pointed out that by common law, anyone using the driveway shares the costs. The decision on the agreement must be finalized by June 30 or else the grant underlying the purchase goes away. Kestrel offered to increase the fund of \$5000 to \$10,000 if that would

help resolve the issue. More information is needed on whether there is an agreement between the Coles and the Lockes, and whether there is a common law obligation to maintain the driveway. It was noted that the town does not want to be liable for something unforeseen. Further questions included what happens if the driveway maintenance agreement is accepted and not extinguished but there are others who use the driveway, such as the Lockes; and what the benefits are of allowing the driveway maintenance agreement to stand and accepting the \$10,000. The two groups agreed to meet again in a joint meeting on Tuesday, June 13, at 7 p.m.

2. Animal Control Officer – The Board reconvened in the Selectmen’s office at 7:05.

Kennel – Shayla Howe, Animal Control Officer, reported that the state requires her to have a kennel for dogs, as the regulators are concerned about disease control and intermingling with personal dogs. She recommended a small kennel for about \$718, the cheapest adequate one she could find. She noted that all her equipment, including gloves and traps, has been paid from her pocket. Town Administrator Charlene Nardi suggested paying for the kennel from the Animal Control Revolving Fund; she will consult with the Treasurer. **Motion** was made and seconded (DM/WS) to approve the purchase of a Williamsburg kennel for the Animal Control Officer. **So voted** (3-0).

Software – Shayla Howe reminded the Board that they had approved buying animal control software a year or two ago but there was no town credit card at the time. [Shelter Manager software, \$310 per year, approved March 3, 2016.] Now that there is a town credit card, she will work with Charlene Nardi to purchase it.

Report – Shayla Howe reported that she gets calls during the day when she is in meetings but if there were an emergency she would come. Assistant Danielle Grenier helps when she can. Calls come in about wildlife, with concerns that the animals will be killed. There are no problems currently on the radar. There is an issue with a dog on Main Street; she has been trying to make contact with the owner. She wants to start a responsible pet ownership program for both Northampton and Williamsburg. Board members want to be sure she is reimbursed for what she pays out of pocket, though she noted that it is hard to keep track of mileage. Board members expressed great appreciation for her and her work.

3. Executive session – joint meeting with Zoning Board of Appeals – Hodgkins v. ZBA –

**Motion** was made and seconded (DB/WS) to go into executive session under M.G.L. chapter 30A, section 21(a)(3), to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigation position of the public body, in the matter of Thomas Hodgkins et al. v. Williamsburg Zoning Board of Appeals, Hampshire Superior Court Civil Action Number 1580CV00265. The chair stated that open session would have a detrimental effect on the litigating position and that the Board would return to open session. **So voted** (WS aye, DM aye, DB aye, Gerry Mann aye, Osa Flory aye, Charles Dudek aye, Marcianna Caplis aye). The Board went into executive session at 7:30 p.m. and returned to open session at 8:10 p.m.

4. Appointments –

New appointments and resignations – **Motion** was made and seconded (DM/WS) to make new appointments and accept resignations as follows:

Council on Aging Advisory Board – Jacqueline Dufresne, 2020; resignation of Nancy Winner from full Member, appoint as Associate Member, 2018

Pioneer Valley Planning Commission, Alternate Commissioner – Mimi Kaplan, 2018

Veterans' Memorial Committee – Dan Nye and Larry West, 2018

Zoning Board of Appeals – resignation of Osa Flory, effective June 30, 2017, appoint Marcianna Caplis as full Member, 2019. **So voted** (3-0).

**Annual reappointments** – **Motion** was made and seconded (WS/DM) to reappoint the following:

Administrative Assistant – Eleanor Warnock, one year, 2018

Agricultural Commission – Alan Everett and Meg Taylor, three years, 2020; Andrew Erwin and David Nehring, Alternates, one year, 2018

ADA Coordinator – Charlene Nardi, one year, 2018

Animal Control Officer – Shayla Howe, one year, 2018; Danielle Grenier, Assistant, one year, 2018

Building Inspector – Louis Hasbrouck, one year, 2018

Building Supervisor – John Hoogstraten, one year, 2018

Conservation Commission – Marcianna Caplis, three years, 2020

Constable – Jason Connell, three years, 2020

Council on Aging Advisory Board – James Cahillane and Lawrence West, Associate Members, one year, 2018

Council on Aging/Senior Center staff – Marie Westburg, Director of Senior Center, Frances Goebel, Outreach Coordinator, Sharon Loomis, Administrative Assistant, one year, 2018

Energy Committee – Kim Boas, Charles Dudek, Mary Dudek, Gerry Mann, Rob Stinson, one year, 2018

Field Driver Team – Shayla Howe, Coordinator, Jacqueline Dufresne, Kathy Emerson, Alan Everett, Sue Fortgang, Sue Froehlich, Mike Hebert, Diane Merritt, Robin Merritt, David Nehring, Carl Schlerman, Meg Taylor, one year, 2018

Fire Chief and Forest Fire Warden – Jason Connell, one year, 2018

Flag Committee – Jim Cahillane, Jeff Ciuffreda, Jen Reagan, Lisa Tucker, one year, 2018

Gas Inspector – Don Lawton, one year, 2018

Highway Superintendent – Bill Turner, one year, 2018

Hilltown Resource Management Cooperative – Gordon Rusty Luce, Paul Wetzel, one year, 2018

Historical Commission – Steven Herzberg, three years, 2020

Measurer of Gravel, Soil and Manure – Wilbur Loomis, one year 2018

Mill River Greenway Committee – Eric Bloomquist, Francie Borden, Nick Dines, John Hoogstraten, Jim Hyslip, Gaby Immerman, Mimi Kaplan, Jody Nishman, Joseph Rogers, Lawrence West, Matt Wilhelm, one year, 2018; Emmet Anderson, Ad Hoc Associate Member, one year, 2018

Open Space and Recreation Committee – Eric Bloomquist, Kenley Clark, Roz Driscoll, Sally Loomis, one year, 2018

Parking Clerk – Charlene Nardi, one year, 2018

Pioneer Valley Planning Commission (PVPC) – Christopher Flory, Alternate Commissioner, one year, 2018

Pioneer Valley Region Joint Transportation Commission – William Turner, one year, 2018; Nick Dines, Alternate, one year, 2018

Planning Board – Jean O'Neil, five years, 2022

Plumbing Inspector – Don Lawton, one year, 2018

Police and Fire Chaplain – Worth Noyes, one year, 2018

Police Officers – Jason Soukup, Sergeant, Michael Wayne, Corporal, Jason Graham, Bryan Luszczyki, Aubrey Malo, one year, 2018

Procurement Officer – Charlene Nardi, one year, 2018

Registrar of Voters – Marjorie Dunphy, three years, 2020

Surveyor of Wood and Lumber – Alden Bacon, one year, 2018

Technology Committee – Tom Adams, David Chase, David Nardi, one year, 2018

Tree Warden and Gypsy Moth Superintendent – William Turner, one year, 2018

Trench Permit Granting Authority – William Turner, one year, 2018

Wiring Inspector/Electrical Inspector – Roger Malo, one year, 2018

Woodland Trails Committee – Dwight Baghdoyan, Gwen Blodgett, John Hoogstraten, Paul Jahnige, Eileen Keegan, Sarah LaPointe, Karin McGowan, Diane Merritt, David Weber, one year, 2018

Zoning Board of Appeals – Gerald Mann, three years, 2020, Mimi Kaplan, Alternate, one year, 2018

**So voted** (3-0).

Emergency Management Director and Assistant – **Motion** was made and seconded (DM/WS) to reappoint Denise Banister as Emergency Management Director and Jason Connell as Assistant, one year, 2018. **So voted** (3-0).

Public Safety Complex Committee – **Motion** was made and seconded (DM/WS) to reappoint Dan Banister, Denise Banister, Jason Connell, Louis Hasbrouck, Dick Kisloski, Don Lawton, Daryl Springman, Bill Sayre, Michael Wayne, Denise Wickland, to the Public Safety Complex Committee, one year, 2018. **So voted** (3-0).

Pioneer Valley Transit Authority Representative – The chair appointed J.M. Sorrell, one year, 2018.

Assistant Town Treasurer – **Motion** was made and seconded (DM/WS) to concur with Treasurer's appointment of Karen Karowski as Assistant Treasurer, one year, 2018. **So voted** (3-0).

**Vacancies** – Some possible names were mentioned. Charlene will get in touch with people and see about putting a job description on the town website. It was suggested that the Community Development Advisory Committee (CDAC) might meet quarterly.

5. Mill River Greenway – Now that Town Meeting has approved money for mapping of the Mill River Greenway project, the committee is trying to reach Herb Berezin of the Brassworks building to bring him into the conversation. Board members agreed to send him a letter. A letter will also be sent to Eversource about donating land for a small park.

6. Police detail rates – Town Administrator Charlene Nardi clarified that if a project is being done by the town's own workers, a lower rate can be paid for the police detail, but if anyone else is doing the project, the detail rate has to be at the standard rate; and that if police officers can get a \$45 detail rate from surrounding towns, it will be hard to get an officer to accept a job at a lower rate.

7. Helen E. James Building driveway – It was decided to have Highway do a skim coat for \$1700 and two days of work, just the entrance from South Street to the corner of the building (discussed at the May 11, 2017, meeting).

8. Town Administrator's report –

Anne T. Dunphy generator – Town Administrator Charlene Nardi reported that the time for the generator to come on will be changed to Thursday at 2.

Community Compact IT grant – Meeting with interested towns was June 7. Demonstrations are planned for June 15 and 19. She will participate in PVPC roundtable June 19.

Pedestrian Crossing – Chief Wickland has said that a pedestrian crossing stanchion was approved for the Williamsburg Post Office and Meekins Library; she is also asking for one for the Helen E. James Building.

Church picnic – The annual Haydenville Church picnic is planned for June 25 in the town parking lot. Paperwork should be forthcoming. This was approved last year.

Sculpture – The James Kitchen sculpture has been moved to Worcester.

Mountain Street project – MassDOT has hired an engineer for the Mountain Street project.

Moderator – Joe Larkin, Town Moderator, is planning to move out of town; vacancy will need to be filled.

Meekins Library stairs – Unexpected structural repairs were needed; change orders have been signed. The expected savings of town funds from the Mass. Historical Commission grant will not be as high.

Flags for South Main Street – A resident on South Main Street would like to donate funds for putting up American flags along her street. Highway Superintendent Bill Turner will be consulted.

Senior Center staff – There have been interviews with candidates for the Nutrition Program Coordinator.

Conservation Commission staff – Administrative Assistant Linda Babcock is resigning to take another job and the Commission would like the town to find a new person. Charlene noted that most candidates come from Craigslist listings rather than from expensive newspaper ads.

Public Safety Complex Committee – The committee would like to meet with the Board on August 31.

Items on Board's "To Do" list – personnel evaluations and goals – The Board had asked department heads to list their goals; these can be discussed at the next evaluation. Meeting with department heads in the fall for personnel reviews and budget discussion will allow financial issues to come up well before budget season.

Vacation schedules – Town Administrator will take weeks of July 3 and 24; Administrative Assistant will take weeks of June 26 and July 3 but will come in one day to do the vouchers. July 6 meeting is cancelled; one Selectman will come in and sign the warrant.

Chapter 90 – Charlene distributed a printout of Chapter 90 expenditures, showing amounts and vendors but not project names. The Board would like Chapter 90 reports on a yearly basis.

No Parking sign – A South Main Street resident would like a No Parking sign on South Main Street by the entrance to Main Street, since cars have to pull out to see the traffic. Chief Wickland had pointed out that houses along there do not have places to park. Board members agreed on a No Parking to Corner sign.

Prescription monitoring program – The Police Department is participating in a state-sponsored prescription monitoring program which helps prevent people from filling multiple prescriptions from different doctors and monitors potential abuse of prescribed drugs.

End-of-year financial issue – voting booths – Charlene pointed out that money can be transferred between budget lines near the end of the year and asked if the Town Collector, who has a lot of

money left, could use \$1500 to help out the Town Clerk to purchase election items, specifically booths to replace the current rickety and unstable booths. The Town Accountant is fine with it; the decision lies with the Finance Committee and the Select Board. Discussion included that this is a want not a need, that the expense is not unexpected, that transferring from reserves would not be a good policy, and that the best approach would be a one-time expense article for Town Meeting next year. Board members decided not to approve the transfer.

9. Horse Mountain, continued – Further discussion of the Horse Mountain driveway issue include the difficulty of making last-minute decisions without complete information, determining who all the parties are, making sure Mrs. Locke is treated properly, determining whether there is a written agreement and whether Mrs. Locke is included, making sure the town is not obligated for a bunch of money in the future, determining whether common law could obligate the town. Charlene will consult the lawyer on whether there is a driveway agreement with Mrs. Locke, what the common law obligation is if the town is released from the driveway agreement, and whether it is a good agreement.

10. Miscellaneous –

Junk on Depot Road – Concern was raised about trash being dumped and being left for someone else to take it away. It is not clear whether the Lashways own the property. The police have said it is not illegal to dump on one's own property. Police will be asked to find out details.

Dead trees – Concern was raised about dead trees and pieces falling off. If Route 9, MassDOT should be called; if not Route 9, Highway can pick up.

11. Minutes – **Motion** was made and seconded (DM/WS) to approve the minutes of May 11 as written. **So voted** (3-0). **Motion** was made and seconded (WS/DM) to approve the minutes of May 25 as written. **So voted** (3-0). **Motion** was made and seconded (DM/WS) to approve the minutes of Monday, June 5, as presented. **So voted** (3-0).

12. Correspondence – Correspondence included praise from School Superintendent Craig Jurgensen for the organization of Annual Town Meeting and for the supportive and communal atmosphere, due to Charlene Nardi.

13. Warrant – Approved and signed the warrant.

#### Documents used

Agenda and notes

Horse Mountain documents and map

Animal Control Officer documents for proposed purchases

List of proposed appointments and letters of interest

Minutes

Warrant and expense report

Adjourned at 10:00

Approved:

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Clerk