

**Town of Becket
Board of Selectmen Meeting
November 7, 2018
7:00 p.m.
Town Hall
557 Main Street, Becket**

Attendees:

Board of Selectmen: William ("Bill") Elovirta, *Chair*; Michael Lavery, *Vice-Chair*
Absent: Nicole Ledoux, *Clerk*

Staff: Bob Markel, *Interim Town Administrator*; Beverly Gilbert, *Recording Secretary*

Others: Chris Lynch (Matrix), Susan Deacon, John Deacon, Jody Lampro, Chuck Garman, Heather Anello, Mike Spencer, Paul Merrill, Dan Parnell, Leszek Osmola, Andreas Sala, Steve Rosenthal, Jeanne Morano, Julia Maynard, Chris Swindelhurst, Gail Kusek, Bob Gross, Neal Dach, William Cavanaugh, Laurel Burgwardt, Gale Labelle

1. Call to order

Bill called the meeting to order at 7 p.m. The BOS was recording the meeting.

2. Pledge of Allegiance

Bill led the pledge of allegiance.

3. Approval of Minutes

Michael moved to approve the 09-25-2018 meeting minutes as amended at the 10-26-18 working meeting, and the 10-26-18 working meeting minutes. Bill seconded. Motion carried.

4. BOS discussion and possible vote to sign a memorandum of Understanding between the Town of Becket and the Executive Office of Elder Affairs to establish a SHINE (Serving the Health Information Needs of Elders) Counselor in Becket

Steve Rosenthal recently became a certified SHINE (Serving the Health Information Needs of Elders) counselor and he spoke in support of offering SHINE counseling services at the Becket Town Hall. Currently Pittsfield is the closest location to obtain SHINE counseling. SHINE is a program that provides free health insurance information and counseling to those who have Medicare or who are about to become eligible for Medicare. Individuals may meet with a counselor to learn about benefits and options available. Steve discussed the Memorandum of Understanding (MOU). The MOU specifies that the town will provide to the SHINE program: 1) Use of a voice-message mailbox, occasional postage, and permission to request use of a Town Hall meeting room to conduct confidential counseling. Michael moved to sign the Memorandum of Understanding between the Town of Becket and the Executive Office of Elder Affairs to establish a SHINE (Serving the Health Information Needs of Elders) Counselor in Becket. Bill seconded. Motion carried.

5. Update on Becket Athenaeum's Septic System

Board of Library Trustees member Bob Gross discussed Becket Athenaeum's Septic System. Bob Markel indicated that he has followed up several times and Town Counsel has not yet confirmed in writing that the Board of Selectmen has the authority to enter into an agreement with the Becket

Athenaeum regarding the septic system. The Board of Health is recommending but not requiring a Title 5 Inspection. Bob Gross indicated that if town counsel specifies that the Selectmen is authorized to enter into an agreement with the Becket Athenaeum, the Library wants to conduct an inspection to see what repairs may be needed on the system, and asks if the town is willing to have the Highway Department use its equipment to dig areas pertaining to the inspection as a way for the library to save on the cost. Bob Gross said the library would be willing to wait until spring if the town were able to provide this assistance. Bill indicated that he will discuss this with the Highway Superintendent. During discussion, Bob Gross indicated that the library would pump out and pay for the pump out of the system.

6. **Broadband Update**

Bob Gross, MLP Manager, provided an update:

The utilities continue to work on applications. Bob has been told that Verizon is about done with the applications and Eversource anticipates completing the applications by early January 2019. The design work for the FSAs (fiber service areas) is almost complete. 3 out of 10 FSAs need to be done. Bob Gross expects to find out about the remaining FSAs in the next day or two. After all FSA designs are completed, the Broadband Ad Hoc Group will meet with Westfield Gas & Electric and State Last Mile Liaison Bill Ennen to identify all make-ready work that needs to be done and to specify portions for which the state will reimburse the town vs. portions for which the town will be responsible for paying. Bob Gross awaits a reply to an e-mail he sent to Comcast inquiring if Comcast is willing to service Becket residences located on Mitchell Road (near Route 20) bordering Blandford. The Broadband Ad Hoc Group hopes to provide costs to the Selectmen.

Westfield Gas & Electric is obtaining information from a 2nd wireless company that requires poles but not a huge tower. The first wireless company requires a very tall tower which may present a problem for homeowners associations or for the town.

Pertaining to completing the design, the Broadband Ad Hoc group awaits information from MassDOT about the Massachusetts Turnpike crossings at Werden and Johnson Roads. There is enough room for conduit. Westfield Gas & Electric and Bill Ennen is finding out MassDOT's permitting process and costs for installation of the conduits.

When a pole is identified as red and needs to be replaced, the cost will be approximately \$4,500 per pole. Some of the red poles were categorized that way due to a mid-span issue. The remediation of those poles is estimated to cost approximately \$1,000 per pole. The Broadband Ad Hoc Group is determining the number of red poles that need to be replaced vs. re-wired.

The Broadband Ad Hoc Group seeks decisions from the BOS:

1) To save on the construction of a free-standing building, is there space in the Town Hall building for the hub? The Broadband Ad Hoc Committee will validate space requirements and if the equipment would fit in the Town Hall's server room.

2) Will the BOS support Comcast providing service to a certain number of residences bordering other towns (Chester/Blandford) to save the town a tremendous amount of make-ready money? Michael and Bill stated that they do not have any problem with that.

3) Bob Markel will ask Town Counsel (Dave Doneski) to provide written communication confirming that a town meeting vote is not required to accept a Matrix option. Per Dan Parnell's recommendation, Bob Markel will ask Bond Counsel to state this in writing.

Bill Ennen is trying to work with state officials to arrange for the state to pay the town 2/3 of the extra make-ready expenses up front and 1/3 in arrears.

7. BOS to review and to consider approving Tax Bill Stuffer(s)

The BOS approved Sherwood Forest Lake District's tax stuffer.

The BOS will allow the Broadband Ad Hoc Group to include a tax stuffer announcing Broadband Public Informational Sessions. The Broadband Ad Hoc Group will add the dates of the sessions which will occur in January and possibly the date of the Special Town Meeting. Pending Moderator and Town Clerk availability, the BOS discussed the possibility for the Special Town meeting to occur on Tuesday, January 22, 2018.

8. Discussion and possible vote on decisions relating to the Route 20 Spring

Bill stated that the BOS had an Informational Session re: the Route 20 Spring in the Town Hall on October 30th. Approximately 25 individuals attended of which 3 were in favor of the Town installing a treatment system at the Route 20 Spring. Housatonic Basin submitted a Proposed Water Treatment System estimate in the amount of \$85,430.70. This estimate did not cover a generator, utilities installation, insurance, legal costs, on-going maintenance, and staffing. The proposed treatment system would address coliform but not e-coli.

Gail Kusek stated that she is aware of at least 5 small water system grants, and she was waiting for Housatonic Basin's proposal before she would apply for grants or request funding from other towns. Gale has set up a 501(c)(3) non-profit organization and is scheduled to take a test in November to become a registered drinking water operator in training in December. She offered that if the Town of Becket builds the water supply, she believes she is allowed to and she intends to "take over" and assume the liability, all maintenance (including snow plowing, water testing, replacement of bulbs), and the purchase of the property (through a grant). Gail reviewed Housatonic's bid and she states that many items may be modified to significantly reduce the costs (a pre-fab fiberglass insulated or steel building insulated may replace the cement building, and a less expensive heater may be used). Gail stated that she knows volunteers willing to provide free electrical and excavating work. To date, Gale has collected 97 signatures (100 signatures are required, she will collect extras) to petition an article onto a Town Meeting Warrant to vote on funding the Route 20 Spring. Bob Markel stated he spoke to Housatonic Basin about the structure and Housatonic Basin recommends installing a concrete structure since the spring is located in an isolated area and that makes it more vulnerable to vandalism. Gail stated that she had discussed the structure with Housatonic Basin and her understanding is that because a below ground tank will need to be installed, the portions below the ground will need to be surrounded by a strong wall but the part above ground will not need extra reinforcements. Gail indicated that the possible alternate structures she is suggesting are designed as plumbing enclosures and it is her understanding that they fall under DEP standards. Bill stated that any changes to the remediation plan would need to be approved by the DEP. Bill asked Gail if she took over the spring and the spring tested positive for e-coli, who would foot the bill on that. Gail confirmed that she wants the town to build the spring, and then hand it over to her as the operator.

Gail stated that another piece (chlorinator) could be added if the spring tested positive for e-coli. Bill asked who Gail would assign for her backup and she indicated that she knows of others interested in becoming registered drinking water operators. Chuck Garman asked if DEP would allow for this kind of arrangement. He speculates that regardless of Gail's intentions, the DEP

would not allow a 501(c)(3) to become the responsible party for the Route 20 Spring and that the DEP will continue to regard the town as the official operator of the Route 20 Spring. John Deacon stated that he thinks the best option is privatization without involving the town for funding or operating costs. John suggested that those using the spring should fund it. John also suggested charging based on the amount used (metering system) and requiring pre-payment (credit card machine) before being able to access water at the Route 20. He does not favor the town being on the hook for the liability from the Route 20 Spring. He does not agree that the town should pay for something that Gail wants to privatize. Bob Markel stated that the town cannot legally spend \$100,000 on the spring and then hand it away. Bob Markel indicated that once the town spends the money on the spring, if the DEP would agree, then perhaps the town could delegate the operator to a non-profit or a private party but the town would have to remain the default operator. Bob Markel said that when he met with DEP, DEP did not convey that they would accept that arrangement.

Bob Gross stated that he thinks John Deacon's suggestions have merit and he would suggest that the Board of Selectmen vote to not take action on the Route 20 Spring and propose to ask DEP if they are willing to allow the 501(c)(3) organization to take over and build the system for the Route 20 Spring.

John suggested that someone should investigate the possibility of drilling an artesian well at the site where the Route 20 Spring is located. Bill stated that DEP had provided options to the town: filters/ultraviolet, drill a well, or close it. Bill responded that the town would still be required to serve as an operator for a well.

Heather Anello stated that due to liability issues, she thinks it is in the best interest of the town to step away from the Route 20 Spring and work with DEP to allow another party to become responsible for it.

Bob Markel stated that the town may ask DEP if it would be willing to assign another entity to be the operator of the Route 20 Spring in which case the town may step away but barring that the town is on the hook.

Chris Swindlehurst stated that he would like to see this matter go before Town Meeting. Chris stated that water is one of the most valuable commodities both nationwide and globally. Chris and Bill Cavanaugh indicated that the Selectmen should not base their decision whether or not to add a Special Town Meeting Warrant article from feedback they received at the Informational Meeting held on October 30th because it was not made clear that the Selectmen were going to use input at that meeting to make a determination.

Bill stated that one of the questions asked at the Information meeting was if the Town Hall water may be used during emergencies. Bill indicated that the Town Hall has potable water.

Jody Lampro stated that water is important for life, and he thinks supporting the Route 20 Spring should be a priority. Jody has been going there for over 50 years, he thinks there is nothing wrong with the water and the spring should be left alone. He stated that Poland Springs and Nestles are trying to shut down springs around the world. Dan Parnell stated that he is uncomfortable hearing, "it is not going to cost that much" because it always ends up costing more and he does not favor the town spending \$80,000 and more on this and he wants to see the town get away from this whole deal. Dan suggested asking the DEP if a private party may take over the spring. He

suggested that Gail should see how much money she can raise, and then ask the town to cover the shortfall at a Town Meeting.

Gale Labelle stated that many people (campers, beer companies, and people with problems with their wells) use the Route 20 Spring and many wells in the area have a high Sulphur content. Gale stated that regardless as to what the town decides about the spring, the town should have an emergency water supply such as the Town Hall.

Andre Sala mentioned other drinking water locations in Becket that have closed (Jacob's Well, County Road). Andre stated that he feels he should be able to get water as close to his property as possible. Andre stated that lack of a public water supply has been a town issue for many years, and the cost to address this has increased. Andre indicated that the Town Hall no longer has a water fountain. Andre indicated that he relies on the Route 20 Spring, and shutting down the spring will cause many poor people to have to move out of Becket. Andre stated that there should be an article regarding the Route 20 Spring on a Town Meeting warrant.

The BOS postponed the vote on this matter. Bob Markel will contact Douglas Paine at DEP to ask if DEP will allow the Town of Becket to convey operator status of the Route 20 Spring.

9. Discussion and possible vote re: Special Town Meeting Date and Warrant Articles

Pending Moderator and Town Clerk availability, the BOS tentatively scheduled the Special Town meeting for Tuesday, January 22, 2018. The BOS will need to formally vote to establish the date of the Special Town Meeting. Potential Warrant article topics include: Broadband, Zoning Amendments to comply with Massachusetts Green Community Program, Fund Transfers, Town Administrator Salary, and Route 20 Spring.

10. BOS to clarify method of the distribution and collection of acknowledgement signatures for the Code of Conduct Policy

Bill read a procedure to clarify the method of distribution and collection of acknowledgement signatures for the Code of Conduct Policy. Michael moved to enact the method of distribution and collection of acknowledgement signatures for the Code of Conduct Policy. Bill seconded. Motion carried.

11. BOS to review and vote re: Highway Superintendent's recommendation for Winter 2018/2019 Road Closures

Bill read the Highway Superintendent's recommended Winter 2018/2019 Road Closures effective 11/14/18 to 5/1/19.

1. Bonny Rigg Hill Road from house # 982 to Otis Town line.
2. Corey Road from Captain Whitney to end.
3. George Carter Road from house # 1304 to Jacobs Ladder Rd. (Rte. 20).
4. Johnson Road from house # 733 to Otis Town line.
5. Plumb Road from house # 677 to house number # 398 (middle narrow section).
6. Tyne Road from house # 679 to Fred Snow Rd.
7. Tyringham Road from house # 358 to Tyringham Town line.

Bill made a motion to accept the Highway Superintendent's recommended Winter 2018/2019 Road Closures. Michael seconded. Motion carried.

12. Discussion and possible vote on Surplus Fire Department Equipment

The BOS reviewed the Fire Chief's recommendation of items for the Board of Selectmen to declare as Surplus Inventory. Michael moved to accept Fire Chief Mark Hanford's recommendation (e-mail dated 10-30-18) to declare items as surplus equipment, and to submit 10 of those items to a website auction. Bill seconded. Motion carried.

13. Departmental Reports:

- Highway/Transfer Station Departments (Report dated October 12, 2018)
- Volunteer Fire Department (August and September 2018)

The BOS reviewed the above listed reports.

14. Town Administrator Recruitment Update

Bob Markel had submitted an article to the November 2018 Becket Bulletin re: the Town Administrator Update. Recruitments ended with high quality applicants stating that they are not willing to work for the salary budgeted (\$72,000). There are other towns in the Commonwealth and the Vermont border competing to hire a Town Administrator. Bill met with the Finance Committee earlier today, and they would like an article to appear on the Special Town Meeting to increase the Town Administrator's annual salary for Fiscal year 2019 to \$80,000 and then to have annual step increases (In July 2022, the salary would be \$90,000).

15. Fiscal Year 2020 Budget Discussion

The BOS discussed the Town Administrator's Salary under agenda item 14.

Bill indicated that he would suggest asking the Town of Washington to contribute \$15,000 for Fire Protection Services for FY20, with a 3 percent escalator for five years. Bill had discussed this with the Finance Committee. In order for Bill to compare the number of households in Becket to the number of households in Washington, Chris Swindelhurst will send Bill the number of households in the Town of Washington. Chris asked the town to provide a 20-year projection of all costs affiliated with the Becket Fire Department to demonstrate what the Town of Becket is spending. Bill stated that the Town of Becket is not asking the Town of Washington to pay for capital items since the Town of Washington does not have ownership. Michael agreed that Bill may approach the Chairperson of the Town of Washington Finance Committee to discuss this matter.

16. Board of Selectmen's Comments and Announcements

Michael said the town is under a DEP order, and he does not want the Board of Selectmen to be painted as the "bad guys" who want to close the spring (no one on the Board of Selectmen wants to close the spring) and although he does not imagine there would be a 2/3 vote favoring spending the money, he does not object to placing an article relating to the Route 20 Spring on a special town meeting warrant.

17. Town Administrator's Report

Bob Markel reported on the following topics:

- Properties the Building Inspector identified for demolition (95 Greenbrook Lane, 81 Black Arrow Way and 114 Black Arrow Way)
- The Energy Committee recommended that the town release an RFP for a Purchase power lease agreement for Solar Array to be located on the field adjacent to the Town Hall to support the electrical needs of the Town Hall. Bob indicated that the town may also explore

owning and operating its own solar array. Dan Parnell indicated that tax credits are only available for residential arrays.

- Summer help to spruce up the Becket Village will be an area included in the proposed fiscal year 2020 budget proposal.
- The Fire Department's furnace specs bids are due November 14th
- Dave Shorey is obtaining bids for Council on Aging kitchen cabinets and appliances. Bob will ask the Council on Aging how much the Friends of the Council on Aging may contribute. Bill suggested that Bob look into grants.
- The Town received a META grant for \$12,500 to hire an energy consultant for advice on a new HVAC system at Town Hall. Bob will send a scope of services to vendors in our region.
- New Telephone System will be installed on Labor Day.
- Bob anticipates that the town will spend the remaining \$28,000 to close-out the Green Communities Program grant. The final projects for Green Communities are under contract; the work is scheduled for early December (replace windows at Highway Garage, new oil fire heating unit at the Highway Garage, window at the Fire Station 1, new window at the Office at the Highway Garage and a new propane tank).
- Bob Markel has sent a reminder to Town Counsel to provide a written opinion on the authority of the Board of Selectmen to authorize septic system sharing
- Community Compact: Bob received and forwarded a scope of work from the Collins Institute for DOR's review and approval
- BOS meetings (12-5 & 12-19, and Finance Committee meeting (11-7)

Michael moved to accept the Treasurer's final list of the Tax Title properties for auction. Bill seconded. Motion carried.

18. Public Input

Neal Dach, owner of Trichome which is a cannabis cultivation start-up company, introduced himself to the Board of Selectmen. He indicated that he is interested in applying to the town to operate an outdoor growing facility on Andrew's Road under the turnpike on Route 20. Bill suggested that Neal contact the Planning Board to learn what they require. Bob Markel stated that the town process involves 1) the Selectmen need to approve the location or declare non-opposition 2) the applicant needs to negotiate a community host agreement with the Town Administrator 3) obtain a town permit and 4) receive approval from the Cannabis Control Commission

19. Any other business to come before the Board

Michael moved for the town to participate in the UMass Clean Energy Extension Municipal Vehicle Fuel Program. Bill seconded. Motion carried.

Bob Markel stated that the Highway Superintendent had received, investigated and substantiated a complaint about a Highway Department employee using a town backhoe on his own property. The Highway Superintendent will reprimand the employee.

Bob Markel reported that the Highway Superintendent, after determining that the JBL backhoe was not a good fit, purchased a John Deer Backhoe and he will fund some of the enhancements through the Highway Department budget.

20. Correspondence

- **MassDOT letter dated 10-23-18 re: supplemental Chapter 90 Aid for Fiscal Year 2019. The letter certifies that Becket's Chapter 90 apportionment for Fiscal Year 2019 is \$285,523 which includes the amount previously approved in Chapter 154 of the Acts of 2018 and the new supplemental amount of \$47,587.**

The BOS reviewed the above listed correspondence.

21. BOS to review and sign payable warrants

The BOS reviewed and signed payable warrants.

22. BOS to adjourn the meeting

Michael moved to adjourn. Bill seconded. Motion carried. Bill adjourned the meeting at 9:30 p.m.

Date Approved: 12-5-2018

Respectfully submitted,
Beverly Gilbert, Secretary



William Elovirta, *Chairperson*

Documents discussed at this meeting:

- Tax Bill Stuffer from Broadband Ad Hoc Group
- Drinking Water Bacteriological Reports Becket Town Hall August, September and October 2018
- Department Reports as listed above
- Correspondence as listed above
- Letter from Treasurer Christine Bleau dated 11-13-18 re; Properties for auction with attached list of properties
- Highway Superintendent letter dated 10/26/2018 listing his recommended Winter 2018/ 2019 Road Closures
- Clarification for Distribution and collection of signature for the revised Code of Conduct Policy
- Handout from Neal A. Dach, owner of Trichome, a cannabis cultivation start-up business
- Town Administrator's Reported dated 11-17-18
- 09-25-2018 meeting minutes as amended at the 10-26-18 working meeting, and the 10-26-18 working meeting minutes
- Mark Hanford, Fire Chief e-mail dated 10-30-18 with attached inventory list from Jan Elovirta dated 10-29-18
- Clean Energy Extension Reducing Municipal Vehicle Fuel Consumption in Rural Massachusetts
- SHINE Memorandum of Understanding, e-mail from Shauna Post dated 11-01-18, e-mail from Beverly Gilbert dated 11-2-18
- E-mail dated 11-5-18 from Bill Elovirta regarding Fire Protection budget item
- Town Administrator proposed salary for three year contract starting 7-1-2019
- November 6, 2018 Becket Bulletin