SELECT BOARD MEETING MINUTES
7:00pm, September 01, 2021
Town Hall, 557 Main Street, Becket

Attendees
Select Board (SB): Chris Swindlehurst (CS), *Vice Chair;* Michael Lavery (ML), *Clerk; Absent*: William Elovirta (BE), *Chair*

Staff: William Caldwell (BC), *Town Administrator*; Beverly Gilbert (BG), Administrative Assistant

Others (in person): Bert Berat, Robert Ronzio (Planning Board Chair), Mary Canty, Lei-Anne Ellis, Christopher Milenkevich, Barbara Wachholder and **Others (Remote):** Fred Braun, Austin Harpin (Eversource), A.J. Pietrantone, Deputy Director of Jacob's Pillow Dance Festival

1. **Call to order**
CS called the meeting to order at 7:00pm. He indicated that the SB was recording the meeting. Bob Ronzio stated that he was recording the meeting.

2. **Pledge of Allegiance**
CS led the Pledge of Allegiance.

ML read the names of the thirteen service members killed in the Afghanistan airport attack last week:
1) Marine Corps Lance Cpl. David Espinoza, 20, of Rio Bravo, Tex.
2) Marine Corps Sgt. Nicole Gee, 23, of Roseville, Calif.
3) Marine Corps Staff Sgt. Darin Taylor Hoover, 31, of Utah
4) Army Staff Sgt. Ryan Knauss, 23, of Corryton, Tenn.
5) Marine Corps Cpl. Hunter Lopez, 22, of Indio, Calif.
6) Marine Corps Lance Cpl. Rylee McCollum, 20, Jackson, Wyo.
7) Marine Corps Lance Cpl. Dylan R. Merola, 20, of Rancho Cucamonga, Calif.
8) Marine Corps Lance Cpl. Kareem Nikoui, 20, of Norco, Calif.
9) Marine Corps Cpl. Daegan William-Tyeler Page, 23, of Omaha
10) Marine Corps Sgt. Johanny Rosario, 25, Lawrence, Mass.
11) Marine Corps Cpl. Humberto Sanchez, 22, Logansport, Ind.
12) Marine Corps Lance Cpl. Jared Schmitz, 20, of Wentzville, Mo.
13) Navy Hospital Corpsman Max Soviak, 22, of Berlin Heights, Ohio

ML commenced a moment of silence to honor and mourn the tragic loss of our service members.

3. **Broadband Update and Select Board to discuss and possibly vote on policies and decisions relating to the Broadband Project**
BC discussed the MLP Manager's update.
- Network Redundancy – Becket's portion will cost $3,000 to allow Becket to be back-fed in case the Town has an outage.
- Finances – We are still confident that the project costs are okay.

- Easements for underground
- Information Session – Scheduled for 9/11.
- Underground drops – We are making a concerted effort to do the underground portion of drops before the ground freezes.
- Excess fiber – Any reel with more than 2,000' can be returned to Westfield for credit. Assuming we have storage space, it has been recommended that reels with between 1,000' and 2,000' be kept for future use toward new homes and/or repairs.
- FSAs – FSA02 is almost complete with connections; FSA01 is being connected; FSA05 should be connected mid-Sept,

The Governor came to Becket yesterday.

4. Approval of the July 21, 2021 Meeting Minutes

ML agreed that Bill Elovirta's corrections incorporated into the draft minutes were appropriate and ML stated that he thinks the Host Community Agreement discussion was recorded appropriately. ML moved to approve the August 18, 2021 Select Board Meeting Minutes, CS 2nd. Vote: 2-0.

5. 7:05PM Public Hearing re: NSTAR ELECTRIC COMPANY DBA EVERSOURCE'S petition dated August, 10, 2021 in accordance with the accompanying plan marked 5025492, to install three solely owned poles on Lane Road in Becket to provide electrical service to 205 Lane Road. Permission is also requested to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distribution purposes.

At 7:05pm, CS read the Public Hearing Notice for the above captioned agenda item. Austin Harpin, Eversource Representative, spoke on behalf of the petition. He indicated that installation was for three Eversource Poles at the end of Lane Road. CS asked whether anyone wished to comment. No one from the public commented. BC indicated that the Broadband Ad Hoc Group and Becket Highway Superintendent had no issues with the petition. ML moved to allow the work to commence re: installation of three solely owned poles on Lane Road as outlined in NSTAR ELECTRIC COMPANY DBA EVERSOURCE'S petition dated August, 10, 2021 in accordance with the accompanying plan marked 5025492. CS 2nd: Motion carried. CS moved to close the public hearing, ML 2nd. Vote: 2-0. At 7:08pm, CS closed the public hearing.

6. Public Input (limited to 3 minutes per person, 20 minutes total for this agenda item).

Lei-Anne Ellis commented against approval of the Special Permit requested by TetraHydra AgTec to build a Tier 11 Marijuana farm at 509 Quarry Road. She provided a written copy of her comments.

A.J. Pietrantone, Deputy Director of Jacob's Pillow Dance Festival, thanked the Town for its support of the 2021 Jacob's Pillow Dance Festival. He acknowledged the efforts of Town Administrator Bill Caldwell, the Fire Chief, the Building Inspector; and Highway, Police, Fire Chief and Ambulance Departments. He thanked the Select Board for supporting JP's on the road programming. CS and ML expressed appreciation to JP for making Becket its home and for helping to put Becket on the map.

Bert Berat, on behalf of residents of Leonhardt Road, expressed concerns re: Leonhardt Road's short-term and long-term repair (letter dated 8/20/2021). CS responded that he does not know if the Town is responsible for driveway culvert repairs and this would be something to clarify with the Highway Dept. ML remarked on the hardship the storm has caused to Becket's roads, Highway Dept. resources, and neighboring town roads. He specified the storms, coupled by COVID-19, have caused supply shortages. ML explained that the Town faces very trying circumstances and the SB would want to build Leonhardt Road better than before and add cross culverts. BC stated that if we receive between 3 and 5 inches tonight, we will have had 30 inches of rain within the past sixty days. The SB advised that although the town has arranged for emergency procurement for restoration of the damaged portions of Leonhardt Road, the Town is not permitted to reengineer the entire road through this mechanism.

BC advised that he met with FEMA which is collecting data and determining whether the town qualifies for a disaster declaration so that it would be eligible for aid.

Barbara Wacholder and Lei-Anne Ellis asked if they could provide the Select Board with documents provided at Planning Board hearing. CS stated that she may.

Bob Ronzio clarified that any document presented at any meeting becomes part of that record for that meeting. He offered that Barbara Wacholder is welcome to provide the Planning Board with any documents that were presented at the meeting and they will become part of the record.

7. **Vote that Becket will remain One (1) Precinct and the Town of Becket will send a certification of the vote to the Local Election Districts Review Committee (Office of the Secretary of the Commonwealth c/o Elections Division)**
BC indicated that after every Federal Census, the town must send a certification to the Elections Division to specify whether it wishes to remain one precinct. ML moved to vote that Becket will remain One (1) Precinct only and to send a certification of this vote to the Local Election District Review Committee (Office of the Secretary of the Commonwealth Bill Galvin c/o Elections Division). CS 2nd: Vote: 2-0.

8. **Review and potential vote on Appointment Applications:**
   - **Cultural Council – submitted by Carole Rivel, Cultural Council**

Zoning Board of Appeals – submitted by Mary Canty, Christopher Milenkevich
CS moved to appoint Carole Revel to the Cultural Council effective 9/1/2021 through 6/30/2024. ML 2nd. Motion carried 2-0.

Mary Canty and Christopher Milenkevich, candidates to serve on the Zoning Board of Appeals, introduced themselves to the Select Board. CS indicated that the ZBA has two vacancies: an Associate Member and a Full Member. CS indicated that the Select Board first received Mary Canty's application and as had been suggested by the ZBA Chair, he asked her which position she prefers. Mary Canty stated she prefers to be appointed as a full member. CS moved to appoint Mary Canty full member status of the Zoning Board of Appeals from 9/1/2021 through 6/30/2023, and Christopher Milenkevich Appeals Associate member of the Zoning Board of

from 9/1/2021 through 6/30/2022, ML 2nd. Vote: 2-0. To stagger the appointment expiration dates of the ZBA members, the Select Board chose 2023 for Mary Canty's expiration date. The SB welcomed Christopher and Mary and thanked them for their willingness to serve.

9. **Select Board to acknowledge Part-time Reserve Officer Chad Heath's resignation from the Police Department effective August 21, 2021.**
The SB acknowledged Part-time Reserve Officer Chad Heath's resignation from the Police Department effective August 21, 2021. BC will send Mr. Heath a letter of appreciation on behalf of the Select Board and himself.

10. **Select Board to review Departmental Reports**
    - **Tba**

None

11. **Town Administrator's Report**
Below is an update of several items that BC has been working on:
    - Working on fiber connection to TH
    - Received ARPA funds
        - Received Town funds – 89k
        - Received county funds – 166k
        - Funds to be used for Broadband
    - Streetlights
        - Working with a contract to get Eversource incentive and purchase of ours. The conversion to LEDs should save approximately 90% on the electric bills.
    - MEMA/FEMA – working to receive disaster declaration
        - Submitted documents to follow-up questions
    - Community Compact Grant
        - Open Space and Recreation Plan (BRPC)
    - MVP – Master Plan w/Climate resilience focus next year
    - Tetra Hydra and Black Cat HCAs
        - Working on the negotiation
        - Bylaws note having HCA before special permit
    - Masks
        - State recommends but no requirement - The SB decided to return to requiring employees to wear masks in the Town Hall's common areas and the public will be asked to wear masks when entering the building.

12. **Select Board's Comments and Announcements**
ML stated that the Host Community Agreements should be regarded as a legal financial agreement between the municipality (vetted through town counsel), and the business (vetted through their counsel). ML stated that discussing odors, criminality and other matters belong under the jurisdiction of the Planning Board, and possibly the Zoning Board of Appeals. He further stated that everything legal or sanctioned through the CCC, and Town of Becket Bylaws should not be analyzed by the Select Board nor is it supposed to be the SB's role to entertain speculation, fear or uncertainty or doubts raised about these businesses before they even get their foot in the door. BC stated that certain impacts (including odor) can be specifically addressed in the host agreements. CS acknowledged that the SB learned that the

HCA should occur before the Planning Board's Special Permit Hearing. CS likes the idea (brought up by Lei-Anne Ellis during Public Comment) of having an objective way to control odors rather than a general statement that the business will control odors. BC remarked that the full public hearing is before the Planning Board.

ML fielded questions about the topic of HCAs and Public Input of Cannabis related Permit applications.

CS stated that if LB Corporation is not able to acquire materials, the Town may need to generate an alternate plan to ensure Leonhardt Road is repaired before winter.

CS stated that the Highway Superintendent engaged a company to bring a vacuum truck to clean out culverts.

13. Any other business to come before the Board

In response to notification from Police Chief McDonough that Probationary Part-time Reserve Officer Daniel McClellan will successfully complete his probationary period effective August 31st 2021, and he recommends that he be appointed Part-time Reserve Officer, ML moved to accept the Police Chief's recommendation which includes raising Daniel McClellan's pay to the standard reserve officer payrate of $20.39 an hour (to commence Sept. 5th, the beginning of the next pay period). CS 2nd: Motion carried.

ML asked Bob Ronzio whether the Quarry qualifies as a place of education. Bob Ronzio stated that his search did not yield records from Becket Land Trust/Schools that support classifying the Quarry as an educational institution.

14. Correspondence:

- **Tba**

The SB reviewed the below listed letter to the Town Administrator:

- Lieutenant Governor's letter dated 8/26/2021 to congratulate the town on entering into a 3rd Community Compact with the Baker/Polito Administration. Becket will implement its chosen practice: Best Practice #1: Complete a Master or Open Space & Recreation Plan to guide land conservation & development decisions including zoning & land acquisition

15. Select Board to review and sign payable warrants.

The SB reviewed and signed payable warrants.

16. Select Board to adjourn the Meeting

ML moved to adjourn, CS 2nd: Vote: 2-0. CS adjourned the meeting at 8:00pm

Respectfully submitted,
Beverly Gilbert, *Administrative Assistant*

Signed by:

Michael A. Lavery / *September 22, 2021*

Michael Lavery, *Clerk* Date Approved

Documents discussed at this meeting:

- 2021.09.01 Select Board Agenda
- Agenda Item 2. 2021.08.30 Michael Lavery's e-mail re: Reading of the names of the fallen service members
- Agenda Item 3. MLP Manager's Broadband Update submitted on 9/1/2021
- Agenda Item 4. 2021.08.18 Select Board Minutes.docx
- Agenda Item 5. Eversource Pole Petition Packet 5025492- 205 Lane Road Becket.msg
- Agenda Item 6. 2021.09.01 Comments from Lei-Anne Ellis re: Special Permit requested by TetraHydra Ag Tec. LLC to build a Tier 11 Marijuana farm at 509 Quarry Rd.
- Agenda Item 6. 2021.08.20, Bert Berat & other Residents of Leonhardt Road re: concerns about repair of Leonhardt Road
- Agenda Item 7. E-mail from Town Clerk re: BECKET DATA RELEASE PACKET; with attached Sample Vote of Adoption; Vote of Adoption for the Town of Becket Select Board
- Agenda Item 8. Appointment Applications/letters: ZBA - Mary Canty, Christopher Milenkevich; Appointment Application: Cultural Council - Carol Rivel; e-mail from ZBA Chair
- Agenda Item 9. Police Chief's letter with attached resignation letter from Chad Heath, Police Dept.
- Agenda Item 11. Town Administrator's Report
- Agenda Item 13. 2021.08.30 Memo from Police Chief McDonough re: Daniel McClellan successfully completing Probation; Amended Payrate dated 9/1/2021
- Agenda Item 14. Document(s) specified under Agenda Item 14.