

SELECT BOARD MEETING MINUTES
7:00pm, May 4, 2022
Town Hall, 557 Main Street, Becket

Attendees

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

Staff: Mark Webber (MW), *Interim Town Administrator*; Beverly Gilbert (BG), *Administrative Assistant*

Others: Bob Gross, *MLP Manager*; Ann Krawet

Others via Zoom: Mike Conboy, Andrew Wilkinson, Shaw Israel Izikson (Editor of the Country Journal), Karen Karlberg, Lei-Anne Ellis, Michael Goodenough (Himalayan High, LLC), Laurie Friedman Jeremy Keyes, A.J. Pietrantone (Deputy Director, Jacob's Pillow), Ben Zachs (Fine Fettle), Jessica Perotti

1. Call to order

BE called the meeting to order at 7:00pm. He indicated that the SB was recording the meeting.

2. Pledge of Allegiance

BE led the Pledge of Allegiance.

3. Broadband Update and Select Board to discuss and possibly vote on policies and decisions relating to the Broadband Project

MLP Manager Bob Gross provided the following update:

- He is coordinating arrangements between Sertex, and the Town of Otis to connect (anticipated to occur within the next 3 weeks) the premise on Dimmock Road. In accordance with the agreement between Otis and Becket, Otis will provide Broadband service due to that the fiber comes up the road from Otis, and Becket will pay for the construction costs of the network as well as for the drop to the home. The homeowner will receive the TOB subsidy.
- Bob inquired whether Eversource had submitted a petition for poles on McNerny Road. He had observed that Eversource staked out 6 poles. The SB replied that they had not received a petition.
- The Broadband Ad Hoc Group has started discussions to analyze and potentially develop recommendations to the SB concerning creating subsidies for hook up costs to indigent homeowners. This includes eligibility criteria (perhaps homeowners who receive government assistance such as SNAP and welfare, and who are eligible for the federal lifeline and Emergency Benefit broadband programs). The Broadband Ad Hoc Group is wondering how many premises would fall into this category (possibly those eligible for Real Estate Tax Exemptions) and the cost to the town. The Broadband Ad Hoc Group is concerned about financial exposure and treating people in a consistent manner: they do not want to open a situation where many people who have been hooked up return to the town for reimbursement.
- The Broadband Ad Hoc Group is monitoring and analyzing peak usage as it relates to the town's backhaul capacity. This includes determining the top users of the town's backhaul. They are reviewing design options to prevent congestion that reduces access speeds. They anticipate some of the businesses (Jacobs Pillow/Summer Camps) warrant modifications.
- Bob reported that the town has received the \$325,115.00 state supplemental make-ready funding.

- In June, with input from Broadband Ad Hoc Member Dan Parnell, Bob will report on the budget.
4. **Public Input (limited to 3 minutes per person, 20 minutes total for this agenda item)**
None
 5. **Approval of the 4/20/2022 Minutes**
CS moved to approve the April 20, 2022 minutes. ML 2nd. Motion carried unanimously.
 6. **Ann Krawet, Member of the all-volunteer *Becket Beat* Committee, requests permission to distribute the *Becket Beat* newsletter at the Town Hall and Transfer Station.**
Ann Krawet gave the SB copies of the first edition of the *Becket Beat*, a newsletter created through volunteers. Ann pointed out that as stated under the header, the goal is to keep neighbors connected and this publication lists events in Becket/Washington, and its articles include interviews of business entities, organizations, and people of interest. The SB gave permission to leave copies of the *Becket Beat* in the Town Hall and in the Transfer Station. The SB requested for Ann to ask the Transfer Station personnel to determine placement of a covered plastic box that will house the publication. In response to her request for the ATM to announce the launch of the *Becket Beat*, BE suggested for Ann to talk to the Moderator when she arrives at the ATM.
 7. **SB to vote to accept quote for Maintenance of North Becket Cemetery**
MW stated that the Highway Superintendent had solicited quotes for mowing and ground cleanup at the North Becket Cemetery. Two quotes were submitted. Per MW's recommendation to accept the low bidder (he provided a valid certificate of insurance), CS moved to accept D's Hauling's (Damien Rogers) bid for North Cemetery maintenance. ML 2nd. Motion carried unanimously.
 8. **SB to vote: Transferring the Host Community Agreement for property located at 2727 Jacob's Ladder Road from FFD Enterprises MA, Inc doing business as Fine Fettle Dispensary to Himalayan High, LLC**
MW provided the SB with a copy of an Amendment to the Host Community Agreement between the Town of Becket, FFD Enterprises MA, Inc., and Himalayan High, LLC for property located at 2727 Jacobs Ladder Road. MW specified that Town Counsel reviewed and updated this agreement. This agreement includes that the Town and Ipswich Pharmaceutical Associates, Inc. entered into a Host Community Agreement dated June 20, 2018, with respect to Ipswich's proposal to locate a Registered Marijuana Dispensary and Retail Marijuana Establishment at the property know as 2727 Jacobs Ladder Road, Becket and on approximately August 7, 2019, Ipswich under a change in corporate ownership and name became FFD Enterprises MA, Inc.

MW pointed out that this HCA is instrumental to the proposed retail operation on site. However, this agreement is not directly aligned with prior Planning Board actions or permissions, and past and future Cannabis Commissions Control permissions and actions. MW indicated that the Tax Collector indicated that as of today 2727 Jacobs Ladder Road's real estate taxes are current. Per Town Counsel's recommendation, this agreement includes a sunset provision with an 18-month period and this is consistent with other agreements KP Law generates for other municipal clients.

BE offered the representatives of FFD Enterprises MA (Ben Zac) and Himalayan High, LLC (Michael Goodenough) an opportunity to comment. Michael Goodenough stated that he had commented on April 20th and does not have anything to add. Ben Zac indicated that he appreciates Town Counsel's suggested sunset provision, and he anticipates that Michael Goodenough and his team are eager to apply for building permits.

Lei-Anne Ellis stated that she is concerned as to how this transfer impacts the Special Permit.

Lei-Anne reiterated concerns she outlined in her letter submitted through her e-mail dated May 2, 2022 to the Select Board including whether the special permit transfer would comply with state laws, the CCC, and town bylaws.

Ben Zac stated that he is experienced with the Cannabis Control Commission licensing and that Himalayan High, LLC would not apply for its CCC license before securing a Host Community Agreement. He also stated that Himalayan High, LLC intends to meet Special Permitting deadlines.

The SB indicated that it is operating with the understanding that the deadline for the Special Permit for 2727 Jacobs Ladder Road expires July 6, 2022.

Karen Karlberg brought up the following concerns:

- The SB should not approve the HCA unless it verifies that the owner of 2727 Jacobs Ladder Road is current on all other property he owns in Becket.
- Himalayan High, LLC should conduct traffic studies to reflect current activity.
- She inquired whether Himalayan High, LLC would be leasing or purchasing 2727 Jacobs Ladder Road and was told that they would be purchasing this property.

The SB responded that because the HCA is not between the Town of Becket and the property owner, the tax requirement relates only to the 2727 Jacobs Ladder Road parcel connected to the HCA.

Throughout this portion of the meeting, the SB indicated that tonight's discussion relates to the HCA, and questions/challenges relating to the Special Permit of which the SB has no discretion should be directed to the Planning Board.

ML moved to accept the transfer of the Host Community Agreement for property located at 2727 Jacobs Ladder Road from FFD Enterprises MA, Inc doing business as Fine Fettle Dispensary to Himalayan High, LLC. CS 2nd: Motion carried 3-0.

9. SB to vote on Building Inspector's recommendations for updating the Building Inspector's fee schedule.

CS moved to table discussion/voting on the proposed Building Inspector's fees, ML 2nd: Motion carried unanimously. MW will ask Paul Greene to provide a comparison between the current vs. proposed fees.

10. SB to approve Agreement for Shared Vocational Transportation Services between the Towns of Becket, Chester, Huntington, Middlefield, Montgomery, Russell and Washington for School Years of 2022-2023, 2023-2024 and 2025-2026 with the option of a two-year extension.

MW explained that towns in MA are required to provide vocational transportation. [Becket had signed a shared vocational services agreement for school years 2019-2020, 2020-2021, 2021-2022. Once again, the Chester Town Administrator is coordinating this agreement.] ML moved to approve the agreement for Shared Vocational Transportation Services between the Towns of Becket, Chester, Huntington, Middlefield, Montgomery, Russell and Washington for School Years of 2022-2023, 2023-2024 and 2025-2026 with the option of a two-year extension, CS 2nd: Motion carried unanimously

11. SB to determine FY2022 vacation leave carry over

BG reported that several employees had asked how many vacation days they may carry-over. The SB will review employee requests before determining how many days they will allow for vacation carryover into FY2023.

12. Select Board to review Departmental Reports

- **Building Inspector – April 2022**

The SB reviewed the Building Inspector's April 2022 report.

13. Town Administrator's Report

The Highway Superintendent will attend the SB's May 18th meeting to discuss how Becket may best utilize the \$188,236.94 pothole grant (listed under correspondence).

The Tax Collector and MW will talk to the Principal of Regional Resource Group to discuss concerns about a flurry of calls related to recent tax bills and property assessment. RRG has responded to individuals through e-mail. At times it is necessary for Becket staff to converse directly with property owners.

Bid openings for Project (IFB #22-001) HIGHWAY DEPARTMENT Brooker Hill and Carter Rd. HMA will occur at the next meeting.

The Town Administrator Screening Committee held its first meeting. The members received 10 applications.

Tomorrow the ATM Warrant will be posted on the website.

14. Any other business to come before the Board

None

15. Correspondence/announcements:

- **2022.04.28 MassDOT (Governor Baker and Lieutenant Governor Polito) announcement that under the statewide Winter Recovery Assistance Program ("pothole fund"), Becket's apportionment is \$188,236.94**
- **Executive Office of Elder Affairs awarded the Council on Aging \$6,000 FY2022 formula grant funding**
- **2022.04.21, Thasia Giles, Director of Community Engagement - Jacob's Pillow request for approval to schedule Jacob's Pillow On the Road free dance performance event in the North Becket Park at 1pm on Sunday, July 17th**
- **Rita Furlong, Chairperson - Parks & Recreation Committee and Member - Historical Commission, announced: The Parks & Recreation Committee and Historical Commission have scheduled a public ceremony on June 14th (Flag Day) at 2pm in the North Becket Park in order to celebrate the opening of the North Becket Park and to dedicate the special seating area/plaque in remembrance of the historical Baptist Parsonage Building (21 Maple Street). This ceremony was delayed due to COVID. The Becket Washington School students have been invited to participate. The Parks & Recreation Committee and Historical Commission invite and encourage town dignitaries to attend and present at this event.**

The SB reviewed the above communications. A.J. Pietrantone (Deputy Director, Jacob's Pillow) discussed Jacob's Pillow's On the Road free dance performance event which had occurred last year. Karen Karlberg spoke in support of this event returning to Becket. The SB conveyed they approve this event. Per the SB's suggestion, A.J. will arrange for JP to contact the Parks & Recreation Committee to discuss electrical access at the North Becket Park.

16. Select Board to review and sign payable warrants

The SB reviewed and signed payable warrants.

17. Select Board to adjourn the Meeting

CS moved to adjourn, ML 2nd: Motion carried unanimously. At 8:15pm, BE adjourned the meeting.

Respectfully submitted,
Beverly Gilbert, *Administrative Assistant*

Signed by:














William H. Elovirta, *Chair*

/ May 16, 2022

Date Approved

Documents discussed at this meeting:

-  2022.05.04 Select Board Agenda
-  2022.04.30 Select Board Minutes
-  *Becket Beat* May 2022 Publication
-  Sheffield Building Department Fees
-  Becket Building Department Fee Schedule
-  Amendment to the Host Community Agreement between the Town of Becket, FFD Enterprises MA, Inc., and Himalayan High, LLC. for property located at 2727 Jacob's Ladder Road.
-  2022.05.02 E-mail with attached letter from Lei-Anne Ellis Himalayan High HCA
-  Agreement for Shared Vocational Transportation Services between the Towns of Becket, Chester, Huntington, Middlefield, Montgomery, Russell and Washington for School Years of 2022-2023, 2023-2024 and 2025-2026 with the option of a two-year extension.
-  Building Inspector's April 2022 Report
-  Correspondence – listed above Agenda Item 15
-  Draft Bag Ban educational handout