

Select Board Meeting Minutes
7:00pm, October 19, 2022
Town Hall, 557 Main Street, Becket

Attendees

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

Staff: Katherine A. Warden (KW), Town Administrator; Beverly Gilbert (BG), Administrative Assistant; Ed Pickert, Highway Superintendent; Christine Bleau, Treasurer / Tax Title Custodian Remote: Robin Mathiesen, *Town Clerk*

Others: William Fiske, John Gauthier (Mountain Grove Association), Alex Gentile, Dan Bruno (Mountain Grove Association), Vincent M. Vigilante, Norton Owen, Cameron Mailman (TRC Companies)

1. **The Chairperson will call the Select Board meeting to order.**
BE called the meeting to order at 7:00pm and indicated that the SB is recording the meeting.
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BE called the meeting to order at 7:00pm and indicated that the SB is recording the meeting.
3. **Pledge of Allegiance**
BE led the Pledge of Allegiance.
3. **7:00pm Pursuant to the provisions of Massachusetts General Laws, Chapter 60 Section 77B; Christine Bleau, the Tax Title Custodian for the Town of Becket, intends to sell at public auction by sealed bid the parcel located at King Richard Drive and Old Carriage Road and identified by Becket Assessor's as Map 216, Lot, 354.**
BE read the above captioned, and announced it was duly advertised. BE stated that he would skip reading the notice if no one objected. No one objected. The Tax Title Custodian received one sealed bid to purchase the parcel located at King Richard Drive and Old Carriage Road identified as Map 216, Lot 254:
 - William and Joanne Fiske - \$3,500. The envelope contained a \$500.00 deposit. Bidding requirements were satisfied (minimum bid \$2,500.00; \$500.00 deposit). Mr. Fiske and Christine Bleau, the Tax Title Custodian, left the meeting to discuss arrangements to complete this transaction.
4. **7:05pm Public Hearing and potential vote on the application of MOUNTAIN GROVE ASSOCIATION, INC. for Transfer its Annual All Alcoholic Beverages Club License to Twin Oaks LLC d/b/a The Club at Shaw Pond.**
BE read the public hearing notice for the application of MOUNTAIN GROVE ASSOCIATION, INC. for Transfer its Annual All Alcoholic Beverages Club License to Twin Oaks LLC d/b/a The Club at Shaw Pond affiliated and opened the hearing at 7:05pm. Dan Bruno, the Manager of Mountain Grove Association, Inc.'s liquor license and the president of Twin Oaks LLC, discussed the rationale behind applying for the transfer and he fielded the SB's questions. He explained that the club originally had volunteers running it and he has worked out a deal to take it over and pay rent to continue operating it as a member's only club. Mr. Bruno indicated Twin Oaks LLC will abide by the hours and conditions set forth in Mountain Grove Association's liquor license.

During the hearing no one else commented or had questions. ML moved to approve MOUNTAIN GROVE ASSOCIATION, INC.'s application for Transfer of its Annual All Alcoholic Beverages Club License to Twin Oaks LLC d/b/a The Club at Shaw Pond, CS 2nd: Motion carried unanimously. The hearing ended at 7:08pm. The SB signed the Liquor Licensing Authority notification and will forward the application to the Alcoholic Beverages Control Commission.

5. **7:10pm Public Hearing In accordance with MGL Chapter 166, Section 22, regarding NSTAR ELECTRIC COMPANY DBA EVERSOURCE, AND VERIZON NEW ENGLAND, INC.'S JOINT petition dated August 12, 2022 to install ten mid-span jointly owned poles located on George Carter Road, Becket, MA for system reliability upgrades in the accompanying plan marked 10055361.**

At 7:10pm, BE read the public hearing notice and opened the hearing. BE commented that during other pole hearings, he had advised that is necessary to contact the Highway Superintendent as part of the procedure when submitting pole petitions, and this practice was not followed for the above captioned petition. Prior to tonight's meeting, BE asked the Highway Superintendent for his recommendation. The Highway Superintendent had not received the notification from Eversource/Verizon and although he conducted a site visit, he did not have an opportunity to discuss the proposed locations of the poles prior to tonight's meeting. Ed Pickert, Highway Superintendent, advised that the poles need to be located further away from the road to allow for maintenance, and potential widening. It was agreed that the Highway Superintendent will meet on site with the engineer and a revised plan will be submitted to the town. Norton Owen, Vincent Vigilante, and Alex Gentile indicated they are interested abutters. CS moved that the SB will continue this hearing after Eversource/Verizon submits a revised plan that meets the Highway Superintendent's approval. ML 2nd: Motion carried unanimously.

6. **Highway Superintendent re: mattress disposal.**

Ed Pickert, Highway Superintendent/Transfer Station Manager, discussed the Massachusetts Dept. of Environmental's new regulation that bans the disposal of mattresses and box springs effective November 1, 2022. Complying with this regulation would require acquiring a special waterproof container, placing individual pieces in plastic packaging, and training the Transfer Station Staff, and would result in increased Transfers Station expenses. Based on Ed Pickert's recommendation, ML moved that the Transfer Station will not accept any mattresses and box springs, and in the spring 2023, the town will revisit whether it is feasible for the Becket Transfer Station to accept mattresses and box springs. Motion carried unanimously. The town's website will be updated. During discussion, the following points were mentioned:

- The Lenoxdale Recycling Facility accepts mattresses/box springs.
- Ed Pickert will explore options / collaborations with other communities.

7. **Discussion with Highway Superintendent and Town Administrator to purchase a hot box with Winter Recover Assistance Program ("WRAP") money**

Ed Pickert had provided a price quote from Tyler Equipment. He discussed the benefits of an asphalt recycler & Hot Box with options. CS moved to authorize the Town Administrator to spend up to \$50,000 with Winter Recover Assistance Program ("WRAP") money to purchase an asphalt recycler hot box with a black top re-sealer. ML 2nd: Motion carried unanimously.

Additional discussion ensued: CS brought up:

- Washouts by October Mountain on Yokum Pond Rd. Highway Superintendent reported the Highway Department filled areas a few times and the next move is to install a black top waterway.

- Plan for County Road – a lot of blacktop missing. Ed responded that he was going to patch the upper portion and it is on the WRAP project list to resurface with oil and stone. Contractors were not available. All State is booked solid till spring. Another company would not even come to look at it. They will patch and fill in the holes for now.
- Does black top need to be beyond Dream Away (no houses). CS says he would recommend that resurfacing only.

Ed brought up that he anticipates losing another employee to a more competitively paid MassDOT position. He suggested that the SB may wish to review the town's pay scales to retain its employees. Later on in the meeting KW reported that other communities are struggling with turnover.

8. Select Board to discuss Heather Anello's request to discuss the new legislation and her request for the Town to return the Spencer House LLC Community Impact fee

Heather Anello requested for the Select Board to return Spencer House LLC's Community Impact fee. She explained that new legislation indicates that to receive the impact fee, a municipality must document town expenditures linked to impact (for example, police detail). Ms. Anello stated that her business did not and currently does not financially impact the Town of Becket. ML moved that contingent upon Town Counsel's approval, the town will return Spencer House LLC's Community Impact fee, CS 2nd; Motion carried unanimously.

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

Below is Municipal Light Plant Manager's update:

- The Ad Hoc Group is starting to work on reviewing the budget. My expectation is that we can give you a full update at your second meeting in November. But we are confident the only surprises will be good ones.
- I will be consulting with MLP managers in towns which have been operational for a period of time to develop a plan for how Becket's network should be managed on an ongoing basis. I will be looking at what is required if we continue to be part of WiredWest or if we decide to be independent. Do not infer that I am suggesting that we leave WiredWest. I think it is important to know what our options are and what would be involved.
- WCF has told us they will bring in up to five techs to do installations, so the number of premises connected should pick up noticeably and I expect all that can be scheduled will be done soon.
- Becket Woods has gotten bids to remediate their problem and will be discussing it with their community the end of the month. Depending how they decide to proceed, there is one company that may be able to get the work done before winter. The others all would do the work in the spring.

10. Approval of the October 5, 2022 Meeting Minutes

ML moved to approve the October 5, 2022 Meeting minutes, CS 2nd: Motion carried unanimously.

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

12. Select Board to review Departmental Reports- tba

The Select Board reviewed the following departmental reports: Police (Offenses Jan. through Sept. 2022, Ambulance (Sept. 2022), ACO (Aug. & Sept. 2022), & Highway (Sept 2022). KW is

interested in visiting a Fire Dept. meeting to encourage members who have not already done so to submit their insurance beneficiary forms.

13. Town Administrator's Report

KW provided the following update:

- The Washington driver for Vocational Students resigned. There is a job posting on the website. If a replacement is not found, the town will need to sub it to Dufour which will cost Becket approximately \$30,000.
- Review – One Day Liquor License insurance clause. CS moved to adopt changes to require liquor liability insurance for all receiving one-day liquor licenses. ML 2nd: Motion carried unanimously.
- Town building room rental due to an incident over the weekend. The SB agree with the Town Administrator's recommendation to establish a fee of \$100 per day (number of hours per day does not matter). If the room is clean at the next business day, the fee will be returned. This will not apply to town committees/organization, road/lake districts and town homeowner associations for general meetings.
- Street Light poles – The Energy Committee is looking into replacing the lights with LEDs at the town's cost. Due to the expense of replacement coupled with maintenance, KW thinks the town should test drive turning off lights on town-owned street locations (not privately paid for streetlights), except lights located at intersections. KW awaits reply from MassDOT regarding state road lights. KW stated that due to safety concerns and licensing, she thinks this is not an appropriate duty to add to the Highway Department's workload. Additional research is needed on this matter. BE will research private lights. Town Meeting may have approved funding lights on private streets.
- Met with MIIA today to discuss an Occupational Safety and Health Administration, Dept. of Labor Standards Audit of all the town-owned buildings. MIIA will conduct the audit and produce a list of corrections at no cost to the town. If the town declines, and has an OSHA review, corrections would need to be completed within 60 days. The MIIA audit is on April 25, 2023.
- Town was awarded \$145,000 from Dept. of Housing and Community Development for Construct to rehab 50 Dawn Drive.
- Berkshire Regional Planning Commission has their Comprehensive Economic Development Strategy 2023-2027 on their website for public comment until November 11, 2022.
- KW reviewed all the accounts and approached department heads with any concerns.

14. Select Board's Comments and Announcements

BE who serves as Treasurer of the Mass Highway Association expressed on-going concerns they have relating to insufficient Chapter 90 funding. He reported on today's Mass Highway Association meeting discussion relating to a MMA analysis handout concerning the Massachusetts Chapter 90 Road fund values. For years, Mass Highway Association has advocated for the state to increase funding and modify requirements/procedures to make it easier for towns to use the funds. According to the analysis:

“...Over the past five years many municipalities listed in the MMA Survey have had to save up Chapter 90 funds to cover the cost of necessary road projects that exceed their annual allotment.

Because cities and towns cannot award contracts based on Chapter 90 reimbursements until official notifications are received, late passage of the Chapter 90 bond bill in recent years has forced communities to bid, award and start work on projects in a significantly shortened timeline and

construction season, driving up the cost of projects due to more expensive bid responses, and reducing the scope of work accomplished... “

BE mentioned that many towns are delaying spending their allocations to save up for larger scope projects. He saw a statement e-mailed to him from Adrienne Nunez from Massachusetts Municipal Association that said Becket's balance was \$823,041.91. He had contacted the Highway Superintendent who reported that he recently submitted an invoice for Brooker Hill Road for approximately \$312,000. If that is the case, the town has approximately \$511,000. The town did not spend this year's appropriation of \$234,000. KW indicated that after the Brooker Hill Road project, the town will have approximately a little over \$495,239 based on the printout she received from Dave Stokes, MassDOT. BE discussed how Boston receives much higher allocations (\$14,863,000 per year and they have not yet spent \$69,931,000.

16. Any other business to come before the Board

The SB signed the Warrant for the State Election.

17. Correspondence/announcements:

None

18. Select Board to review and sign payable warrants

The SB reviewed and signed payable warrants.

19. Select Board to adjourn the Meeting

CS moved to adjourn, ML 2nd: Motion carried unanimously. At 8:36pm, BE adjourned the meeting.

Respectfully submitted,

Beverly Gilbert, *Administrative Assistant*

Signed by:



William H. Elovirta, *Chair*

/ *November 2, 2022*

Date Approved

Documents discussed at this meeting:

- 2022.10.19 Select Board Agenda
- 2022.10.05 Select Board Meeting Minutes
- Town Administrator's report
- Departmental Report listed above Agenda Item 12.
- Agenda Item 4: Application of MOUNTAIN GROVE ASSOCIATION, INC. , Public Hearing Notice
- Agenda Item 3: Legal Notice
- Agenda Item 5: Public Hearing Notice, Plan, Order
- Agenda Item 7: Quote