SELECT BOARD MEETING MINUTES
7:00pm, July 5, 2023
Town Hall, 557 Main Street, Becket

Attendees

Select Board (SB): William Elovirta (BE), *Chair;* Chris Swindlehurst (CS), *Vice-Chair;* Jeff Piemont (JP), *Clerk*

Staff: Katherine A. Warden (KW), Town Administrator; Beverly Gilbert (BG), Administrative Assistant; Ambulance Dept.: Ray Ferrin, Ambulance Director; Lisa Michaud, Interim Ambulance Director; Max Koivisto, Pete Willey

Others: Michael Lavery Remote: Al Blake

1. **The Chairperson will call the Select Board meeting to order.**
   BE called the meeting to order at 7:00pm.

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

3. **Approval of the 6/21/2023 Meeting Minutes**
   JP moved to approve the 6/21/2023 minutes, CS 2nd: Motion carried unanimously.

4. **Public Input (limited to 3 minutes per person, 20 minutes total for this agenda item).**
   None

5. **Broadband: SB to vote on a policy regarding new construction after the network has been completed**
   JP advised that the MLP Manager would like to discuss this at the July 19th meeting, and the MLP Manager plans to request an Executive Session to discuss contract negotiations concerning WiredWest.

6. **Select Board discussion re: placing a town meeting article on the next town meeting to establish Esau's Heel trail as a recreational trail.**
   The SB and KW discussed the above captioned with Michael Lavery and Al Blake. Michael brought up that when Community Preservation Committee Chairperson Rita Furlong had relayed a question to the Mass Preservation Coalition regarding reimbursement to an individual for LED lights (purchased via Amazon) for Esau's Heel Trail, they questioned if the Community Preservation Act grant should have been allowed given that the town does not have written statements declaring that Esau's Heel Trail is a recreational area and that it can exist in perpetuity (recreation and conservation). KW asked Michael to clarify what he had meant in his e-mail regarding declaring the trail as an educational center. Michael specified that the term education center relates to children learning about animals and nature (signs with footprints, fauna, plants) and it does not necessarily require a building.

   Other areas of discussion:

- Should a survey be done before acting on this?
- Public Buildings potential on the land
- Where is the trail located in relation to the town's needs?

Michael indicated there is an urgency for the SB to agree to place this on a town meeting warrant in order to obtain funds to pay for work scheduled on the trails (Greenagers, etc.). The SB agreed that before they will be in a position to vote to add a Town Meeting Warrant Article asking if the town would agree to establish Esau's Heel Trail as a recreational trail, additional research and clarification (legal and CPA) are required. KW will contact Town Counsel to inquire about:

- the ATM Warrant article that approved Esau's Heel Trail
- dual purpose entrance (can the entrance be used for recreation and town properties?)
- ramifications about declaring the trail as recreation conservation land in perpetuity (what if the town needs the land or portions of the trail for other use – municipal buildings?)
- Can the trail be placed in a 10-year recreational/conservation category and still meet CPA requirements?
- JP inquired if the town assumed ownership of the property for non-payment of taxes and if that is the case, what is the town's liability? JP referred to a recent U.S. Supreme Court case that ruled that a town which sold a property that it acquired due to delinquent taxes/fees had to return the remaining proceeds to the original property owner. JP inquired whether the scope of the case may apply to other municipalities: Does Becket have the right to keep the entire property if the value exceeds the delinquent taxes/fees.

Michael stated that Conservation Commission approved the loop. The SB indicated that permission as to where to locate the trail was never brought before the SB: only the CPC application. The SB stated that they never saw the plans for the trail and clarification is needed to determine whether the town meeting vote approved funding, location of the trail.

After KW hears from Town Counsel, she would like to meet with Michael, the Conservation Commission, and SB to analyze the trail location parcel/surrounding parcels and potential areas for town buildings.

7. **Select Board to vote on Town Administrator's recommendation to appoint Max W. Koivisto Interim Ambulance Co-Director effective July 5, 2023 through December 31, 2023, and Matthew Virginia Part-time Reserve Police Officer effective July 23, 2023 through June 30, 2024.**
Ray Ferrin, Ambulance Director, spoke in favor of appointing Max Koivisto Interim Ambulance Co-Director. Ray indicated that Lisa Michaud will support him while she is acting as Co-Director. Max stated that he is looking forward to working in this capacity, and he thanked Ray for leaving the Ambulance Department in good order: he could not ask for a better starting point. BE asked about Max's certification (He is currently an Advanced EMT, and would be interested in becoming a Paramedic.). BE stated that he thinks it would be beneficial for the Ambulance Director to be a Paramedic (reduce the # Paramedic Intercepts). <u>CS moved to accept the Town Administrator's recommendations to appoint Max W. Koivisto Interim Ambulance Co-Director effective July 5, 2023 through December 31, 2023, and Matthew Virginia (who recently retired as Police Dept. Sergeant)</u>

Part-time Reserve Police Officer effective July 23, 2023 through June 30, 2024. JP 2nd: Motion carried unanimously.

8. **Select Board to vote on Treasurer's recommendation to reappoint Kenneth Bilodeau, Jr. Assistant Treasurer effective July 1, 2023 through June 30, 2026.**
   CS moved to accept the Treasurer's recommendations to appoint Kenneth Bilodeau, Jr. Assistant Treasurer effective July 1, 2023 through June 30, 2026. JP 2nd: Motion carried unanimously.

9. **SB to vote to re-appointment: Gale Labelle, Planning Board Alternate Member, effective July 1, 2023 through June 30, 2024**
   CS moved to re-appoint Gale Labelle, Planning Board Alternate Member, effective July 1, 2023 through June 30, 2024. JP 2nd: Motion carried unanimously.

10. **Select Board to vote to approve corrections to FY2024 Authorized Payrates**
    KW described corrections to the FY2024 Authorized payrates: addition of Emergency Management Director, and correction to Harbor Master's payrate. JP moved to approve and sign-off on the corrections to the FY2024 Authorized payrates, CS 2nd: Motion carried unanimously.

11. **Select Board to review Departmental Reports**
    tba
    No reports were submitted for tonight's meeting.

12. **Town Administrator's Report**
    - Beach has been repaired after storm damage.
    - Participation in Lee's MVP brainstorming meeting in September?
    - End of year transfers. KW discussed a draft copy. The last FY23 payable warrant is Wednesday July 12. The SB scheduled a working meeting to vote on final approval of the FY2023 Account Transfers and Encumbrances. During discussion, the SB directed KW to remove the following encumbrances: Print & Bind Bylaws, Drainage Ambulance Dept., Pavilion Maple Street, and to add a $10,685.50 Well & Septic encumbrance. BE brought up that his understanding was the Town Hall/Police Department renovation plan included replacing the lower level public men's room which became part of the Police Dept. KW and the SB agreed that the unisex restroom is currently sufficient. KW will send the MLP Manager an e-mail to request $25,000 broadband funding to assist with the Town Hall Pavilion Extension. KW will discuss summer labor with the Highway Superintendent. KW thinks the Forestry Account should be moved to the Fire Department expense account, and Dry Hydrants should go to Free Cash.
    - Received the Heart Monitor: will be closing out the grant from the USDA
    - Closing out the Compact Community Grant for Open Space Planning Grant
    - Called Levernoch for an appointment to replace the hot water heater at Station 1
    - Working on obtaining access to the ARPA account to update the reporting
    - Office of Inspector General is offering course funding. KW will apply to cover the fall MCPPO classes.
    - Will Attend Berkshire County Managers Meeting tomorrow.
    - Meeting with Otis TA tomorrow for update on the Ambulance Squad.

13. Select Board's Comments and Announcements

JP brought up concern re: collapsed road drainage near 483 Surriner Road. General discussion ensued regarding road material (possible financial savings, short-term/long term impacts of paved vs. oil & stone. The SB had a discussion with KW re: Highway Dept. summer duties.

14. Any other business to come before the Board

None

15. Correspondence/announcements:

- **tba**

The SB received the following letter:

- 2023.06.28 Town of Lee, invitation for SB and Town Administrator to attend an Municipal Vulnerability Program brainstorming workshop on Sept. 22nd in Lee.

16. Select Board to review and sign payable warrants

The SB signed the payable warrants.

17. Select Board to adjourn the Meeting

JP moved to adjourn the meeting, CS 2nd: Motion carried unanimously. At 8:31pm, BE adjourned the meeting.

Respectfully submitted,
Beverly Gilbert, *Administrative Assistant*

Signed by:

William H. Elovirta / *July 19, 2023*
William H. Elovirta, *Chair* Date Approved

Meeting documents:

- Agenda
- Town Administrator's Report
- June 21, 2023 Meeting Minutes
- Draft FY2023 End of year balance transfers
- Draft Encumbrances from FY2023 to FY2024
- Correspondence – listed agenda item 15
- FY2024 Select Board Amended Authorized payrates
- 2023.06.28 letter from Treasurer re: Assistant Treasurer reappointment recommendation
- 2023.06.20 e-mail from Michael Lavery re: Esau's Heel Trail conservancy, Earthstar map of Esau's Heel (submitted with CPA application)