

**Town of Becket
Board of Selectmen's Meeting
April 1, 2015
7:00 PM
Town Hall,
557 Main Street, Becket**

Attendees:

Board of Selectmen: William "Bill" Elovirta, *Chairperson*; Angela Hilton, *Vice Chair*
Jeanne Pryor, *Clerk* (participated remotely due to her distance to the meeting)

Staff: Ed Gibson, *Town Administrator*; Beverly Gilbert, *Recording Secretary*

Energy Committee: Cathy DeFoe, Garth Klimchuk, Al Blake, Robert Gross &
Katherine Hoak

Others: Tommie Hutto-Blake, Paul Merrill, Colleen O'Connor
Beth VanNess, Jeanne Morano, Julia Maynard
Martin D. Winters, Meredith Babcock

Call to Order

Bill called the meeting to order at 7PM. He advised that the meeting is being held in accordance with the Open Meeting Law and Guidelines for the Becket Board of Selectmen Meetings.

Bill asked if anyone was recording the meeting. Beverly Gilbert for the Board of Selectmen was the only person recording the meeting.

Bill explained that because Jeanne is attending the meeting remotely, roll call votes are required.

Pledge of Allegiance

The Chair led those attending in the Pledge of Allegiance.

Approval of Minutes

Angie moved to accept the March 18, 2015 minutes as written, Bill seconded. Motion passed with roll call vote: Angie – aye, Jeanne – aye, Bill - aye

Energy Committee - Resolution on the Climate Crisis (Joint Meeting with Energy Committee)

On March 19th, the Energy Committee voted to ask the Board of Selectmen to sponsor their Resolution on the Climate Crisis as an Annual Town Meeting Warrant Article. At approximately 7:06PM, Cathy DeFoe called the Energy Meeting to order. Members of the Energy Committee presented both on behalf of the committee and individually:

Al Blake stated that he cares deeply about our planet and wants to do everything possible to reverse the disastrous impact of climate change not only for our generation but for the future human life of our planet. The purpose of this resolution is to give the citizens of Becket the opportunity to vote on divesting

moneys from fossil fuel companies and hopefully invest that money in renewable energy. This is one of the worldwide strategies that have been endorsed by many other communities, most recently Great Barrington, educational institutions, religious organizations and our State Senator Ben Downing. On behalf of himself and the Energy Committee he encourages the board to endorse this resolution.

Bob Gross stated that he was one of the two dissenting members when the Energy Committee voted on the resolution. While he agrees as much as Al does about the climate crisis, he thinks divesting is something that individuals can do by themselves. As a decision, there are certain stocks he would not own but he thinks this petition is very undemocratic because it asks the legislature to insist that the pension plan divest the fossil fuel stocks. Moreover, the Massachusetts pension plan is not owned by the state nor is it owned by the residents of the state. It's owned by the beneficiaries of the pension plan and it should be their decision as to whether or not they want to divest. Although he might vote against it personally, as a committee member he would approve a petition asking the state to divest in fossil fuels if the state really had a fund of money that belonged to the state (that belonged to the citizens of the state). He feels this is just usurping the rights of the people who own state pension fund from making their own decisions. Asking the legislature to require private individuals or private organizations to divest is undemocratic. Divestiture is a very important political decision and while it makes an ethical statement he does not know of any data showing that it has any economic benefit.

Garth Klimchuck stated he is the other member who voted against the resolution. Based on his background, as a geologist in the oil and gas industry and decades spent as an investment banker focused on the energy sector, electric & gas utilities, water utilities, including raising capital for wind and solar companies, he feels he understands the investment world, the renewable energy world, and the energy world. He agrees with Bob 1) that there's no specific data showing divestment is a successful way to meet objectives and 2) it is an undemocratic process where we are going to force the chief investment officer of a public pension to not do what he wants to do from a fiduciary responsible perspective. He expressed concern about harming the public employees' pension as a result of the Chief Investment Officer not being able to work in the best interests of the employees of this state. We need to find other tools with Ben Downing with regard to renewable energy. Divestment is not the tool. Just because other towns are doing this, doesn't mean the Town of Becket should.

Katherine Hoak spoke in support of the petition. She stated she did not want to go into the politics that had just been mentioned. She expressed that this is such a critical time. She brought and described two books she regards as important about climate change 1) The Sixth Extinction by Elizabeth Kolbert, 2) This Changes Everything by Naomi Klein. In addition to expressing her deep concerns about climate change and the need to go beyond our comfort zone and put aside our addictions to the use of fossil fuel, she expressed the importance to consider others in the world more vulnerable and strongly impacted with great suffering due to severe climate change activities. Because she regards this as a morale issue, Katherine feels we must do what we can do to reduce the use of fossil fuels and to use sustainable energy. She agrees, as written in This Changes Everything, we have the ability to do that.

Cathy DeFoe stated that many of us agree that this is an important issue and some may not. The Town of Becket should support this resolution because the people in power need to understand that a lot of us think that this is important and divesting is a way to get the message across. Whether it's going to impact the fossil fuel companies or not financially is insignificant. She thinks the intent is that we need to get the message out that we need to make a change.

Tommie Hutto-Blake (Not on the Energy Committee): She discussed Senator Downing's fact sheet regarding divestment of fossil fuels:

1. Intent of legislation
2. Divestment makes financial sense
3. Divestment is a proven tool for change
4. It is time to align our investments with our principles

She stated that she was part of a huge pension fund and as individuals they had no say as to how their pension funds were invested: there was one worker representative who had little or no impact.

Marty Winters (Not on the Energy Committee): Expressed that by doing this we are showing the world that we are doing something. Right now we are doing nothing. By making this statement we are at least saying, "Hey, Stop it!"

Jeanne thanked the members of the Energy Committee for their thoughtful consideration of this matter. She felt that because the Selectmen appointed the members of the Energy Committee and the majority of the Committee voted to pass the resolution, she felt it only fair to support them by having the Selectmen vote to put the resolution on the town meeting warrant.

Bill inquired and was told that only because of the approaching deadline for the Annual Town Meeting Warrant, the Energy Committee, as a backup, submitted a petition to the Town Clerk who certified the names.

Bill indicated he is not one for telling someone else how to do their job and that he took a similar approach with the gas pipeline that the Town put through on the Annual Town Meeting Warrant. He voted at the Town Meeting to support voting against the pipeline but he thought it was not Becket's business because it was not coming through our town.

Jeanne made a motion to approve placing the Resolution on the Climate Crisis on the Annual Town Meeting Warrant. No one seconded. Motion failed.

The Resolution on the Climate Crisis will appear on the Annual Town Meeting via petition which the Town Clerk certified.

Bill thanked the members of the Energy Committee for their work.

Cathy requested a motion to adjourn, Garth seconded. Roll call: Cathy DeFoe, aye; Garth Klimchuk, aye; Al Blake, aye; Robert Gross, aye; & Katherine Hoak, aye
The Energy Committee adjourned their meeting at approximately 7:40 PM.

Sandi Jarvis' Request for approval for a Geocache Location at Jacob's Well

Ed reminded the board that about 2½ months ago, the 250th Anniversary Committee had submitted a request for a number of town properties for the geocache event. The Board of Selectmen had approved all the town properties on that list. This past week Sandi Jarvis emailed to inquire if the town owned property on Route 20. Jacob's Well was identified as town-owned land and she requested permission to have a geocache location there. Ed advised there are no insurance issues. Angie moved to grant approval to the 250th Anniversary Committee to install a Geocache at Jacob's Well off Route 20, seconded by Bill. Motion passed with roll call vote: Angie – aye, Jeanne – aye, Bill - aye

MBI Draft Town Meeting Warrant Article

Ed provided two draft ATM Warrant Articles to fund broadband. This will be discussed at tomorrow’s night’s joint Finance/Selectmen’s meeting at which Becket Delegates to WiredWest Jeremy Dunn and Jeff Piedmont and a representative from WiredWest will attend to discuss the language for the ATM Article. Ed advised that Jeanne, Dan Parnell, and possibly Jeff will participate in the meeting via conference call. Ed discussed the differences between the two drafts:

Town’s Warrant Article draft dated 2/27/15	WiredWest Article Draft dated 3/26/15
1 st paragraph: “... high speed broadband network...”	1 st paragraph: “... regional broadband network...” Jeff and Jeremy are not concerned about this change.
2 nd paragraph under article ___ Motion: “...such project to be carried out by the Town’s Municipal Light Plant; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$_____ ...”	2 nd paragraph under Article ___ Motion: “...such project carried out by the Town’s Municipal Light Plant acting as a member of a cooperative of such Plants formed under Chapter 164, Section 47C of the General Laws ; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$_____...” Jeff originally looked at it and said it was too limiting because while the town did form a Light Plant under Chapter 164, Section 47C, the added term of acting as a member of a cooperative would require the town to use WiredWest. Since then the MBI Representative obtained clarifications and now Jeff is not as concerned but Ed recommends hearing their comments tomorrow eve. It is possible that the amended version could be proposed with removing, “ cooperative of such Plants. ”

Request of WiredWest Representative to Display Information Signs at Town Hall, 2 Fire Stations & Transfer Station

Ed advised that Jeremy Dunn amended his request and no longer wants to place signs at the Fire Stations. Jeremy received permission to post signs on private property. At the request of Jeremy Dunn on behalf of WiredWest, Bill moved to grant permission for WiredWest to post informational signs (approx. 2’ by 2’) at the Town Hall and Transfer Station which will say, “You want Broadband? WiredWest. Sign up Now!” Angie seconded. Motion passed with roll call vote: Angie – aye, Jeanne – aye, Bill - aye

Proposed Vacant Properties ByLaw (draft revised 3/27/15)

The Board and Ed discussed the Proposed Vacant Properties ByLaw draft dated 3/27/15.

Bill's comments/recommendations:

Page 2, Section B: An annual registration fee is mentioned but the document does not provide the fee. Therefore the fee has to be established. Jeanne suggested directing the Building Inspector to survey other towns.

He would like to add, "All registrations shall be copied to Fire, Police, and Health Departments."

Jeanne's comments/recommendations

Page 3, section 6. Recommends changing from Violations to Enforcement and Penalties.

Page 4, section 7. Change the language to reflect MGL Chapter 40 section 21D

The Board fielded several questions from those in attendance.

The Board and Ed explained that the intent behind the bylaw is to create a method to communicate with property owners, to prevent blight, prevent crime, maintain public safety; save the town money in the long run by not having to deal with expenses relating to nuisance/danger/demolitions; to force banks to tend to foreclosed properties.

During discussion it was noted that the town has a survey committee to assist the building inspector in determining listed vs. abandoned properties.

Julia Maynard will draft language to submit to the Board to reference the survey committee and define abandoned property.

The Board will have a working meeting to complete the bylaw to submit to Annual Town Meeting.

License Renewals for Jacobs Pillow Dance Festival

- **Seasonal Liquor License Renewal for Jacob's Pillow Dance Festival – All Alcoholic Restaurant**
- **Common Victualler's License**
- **Music & Entertainment**

Angie moved to approve the renewal of Jacob's Pillow Dance Festival's licenses to include Seasonal All Alcoholic Restaurant, Common Victualler's, and Music & Entertainment. Bill seconded. Motion passed with roll call: Angie – aye, Jeanne – aye, Bill - aye

Petition Article CPA

Ed announced that the town received a petition the Town Clerk certified which will appear as an Annual Town Meeting Article to see if the Town will vote to rescind the Massachusetts Community Preservation Act which passed via Article 17 at the May 12, 2007 Annual Town Meeting. Jeanne asked Ed to share this with Bruce Garlow.

Town Administrator Nomination of Inspector of Animals

Because Bill is married to Madelaine Elovirta who is the Inspector of Animals, he recused himself from this discussion and vote. Ed nominated Madelaine Elovirta to once again be the Inspector of Animals for the term May 1, 2015 through April 30, 2016. Angie moved to approve the Town Administrator's nomination of Madelaine Elovirta to continue as the town's Inspector of Animals for a term beginning

May 1, 2015 through April 30, 2016. Jeanne seconded. Motion passed with roll call vote: Angie – aye, Jeanne – aye. In accordance with state law, the town will submit the nomination form to The Commonwealth of Massachusetts, Dept. of Agricultural Resources, Division of Animals Health.

Reports of the Highway Dept.

The Board reviewed the Report of the Highway Department.

Bill stated that he contacted Chris to clarify figures in the report. The town had 82 weather events (49 for snow, 24 for freezing rain and 9 for drifting snow). We had 105.25” of snow.

Ed added that Chris Bouchard advised salt usage is up because of the harsh winter. Per Chris, in terms of the sand used this year, we’ve hit the break-even point for purchasing the ground speed controller.

Operating & Capital Budget Update - Ed

The replacement of fire escapes in the Town Hall will either be listed as a capital item or under the building repairs operating line item.

Ed discussed the Financial Summary for the FY2016 Budget.

Ed had worked with Geri of the Assessor’s Dept. on the summary revenue portion of the financial summary. They calculated what the levy will be for 2016, estimated what our new growth may be and the fiscal year debt exclusions (Those items are starting to disappear.) Last year we rounded \$280,000 in debit exclusion that we are paying. This year in 2016 this figure will drop to approx. \$168,000. Based on the Governor’s budget (this may change because the house and senate needs to vote) our cherry sheet aid for FY2016 is forecasted at almost \$241,000. Right now Ed forecasts our local receipts at \$445,000. Under available funds, there is free cash appropriated under special articles in the amount of \$484,022. That is all of the free cash certified for us for 7/4/14. There may be a question as how we breakup that money but will allocate that. Right now the town has \$400,000 of that going back into stabilization to replenish a good portion of the money taken out for the BRD settlement. The town has a few bills from previous fiscal years (totaling less than \$1,000) that Ed will pay with some of that money. He will allocate the remaining for the snow and ice deficit which currently is more than what we have left (see Town Administrator’s Report below). He estimates total revenue and available funds at \$6,745,432 which is about \$250,000 more than last year. He reminded the board that we are allocating all that free cash which over twice what is normally done. Overall, Ed reports we appear to be in good shape.

At the Annual Town Meeting, because of the increase in costs, Ed will recommend increasing the request to \$19,000 for the demolition fund (under protection of person and property). Last year \$13,420 was appropriated. (See Town Administrator’s Report Below)

The preliminary list for vocational students was due today (but Ed did not receive it). Because most tuition runs close to \$18,000, any additional students can impact the tuition budget. So far the town of Becket is retaining 7 of which 6 will attend Smith, 1 will attend McCann. Once the number of students and their schools are known, transportation methods (bus vs. van) and costs can be calculated.

The figure for the broadband ATM article needs to be determined.

Board of Selectmen’s Comments and Announcements.

Bill sent Angie and Jeanne copies of his changes to the draft bylaw enforcement which the board will discuss at the working meeting.

Town Administrator's report.

Ed discussed the below items:

Requests of the Board of Selectmen and himself for Annual Town Meeting Articles:

- 1) Becket Land Trust – \$4,000 to provide security at the Becket Historic Quarry and Forest during the active season. Ed thinks the Police Department who had requested to conduct several additional tours may be able to visit the Quarry and Forest during some of their tours to accomplish the security needs.
- 2) 4 requests from the Becket Arts Center a) \$7,000 to help fund an ADA lift: They received 2 anonymous donations of \$10,000 for such, they applied to Mass Cultural Council for \$27,000 for the lift and asked the town for up to \$7,000 to fill in the balance. Since that time Mass Cultural Council did not approve the grant request. Mass Cultural Council gave ADA funding to other communities this year and the Arts Center hopes to apply next year. Even though declined this year, it might be well advised to prepare and it can carry forward to another fiscal year if Mass Cultural Council comes through for them. b) \$2,035 for repairs to the building – \$635 to be used for building repairs, paint, rollers brushes for interior painting and \$1,400 for a new gas range and repair of existing propane line and insulation) c) \$800 to help pay for an assistant to overlook the summer arts camp – last year they had a volunteer d) \$900 of which \$250 will purchase a popcorn machine and \$650 for an outdoor screen and installation expense for the popcorn machine. The Arts Center will show outdoor movies during the summer.
- 3) Berkshire South Regional Community Center requested \$1,500 toward its FY16 budget. Since the town has never participated in funding this center in the past, Ed recommends not moving forward on this.

MBI Broadband – He reminded the Board about the joint meeting for the Selectmen Finance Committee and WiredWest Representatives tomorrow 6PM in the Town Hall to deal with updates to the MBI and WiredWest broadband proposal and will update the cost impacts for financing to the Town of Becket.

Demolition Bids – We received our bids for demolition of four properties. Bill Girard is confirming the bids with the entities who submitted quotes for the removal. Currently there is not enough funding in the FY2015 budget to move forward with removal of all four buildings. Total bids received were \$27,350, with \$13,420 available. After Mr. Girard confirms the bids Ed will have a recommendation for the Board of Selectmen to proceed on some of the properties for the next regularly scheduled meeting in April.

Snow and Ice Deficit: As of the March 27th financial report the snow and ice Deficit for FY 2015 stood at \$86,809.96. He expects this figure to grow substantially when the general ledger is updated tomorrow the payable and payroll warrants. This past payroll warrant will include the last two weeks of the winter payroll. The snow and ice deficit this year will be larger than when he drafted the FY2016 budget warrant. There will be four possible paths to address this.

- 1) Decrease the amount of Free Cash allocated to the Stabilization Fund
- 2) Because of the extreme winter, the Legislature granted towns/cities a one time opportunity to carry over some of the deficit to the next fiscal year without having it flow to the tax rate. Ed pointed out this becomes problematic if we have another large snow and ice deficit next year as we would have to pay off both deficits
- 3) See if we can transfer enough funding from other 2015 accounts (strong possibility) and lastly:
- 4) Let any balance of the snow and ice deficit flow to the FY2016 tax rate (Ed does not favor this approach).

Planning Board submitted the By-law changes this afternoon for the small and large Wind Turbine for inclusion as Warrant Articles at the ATM.

Meetings:

- April 2nd Joint Meeting of Finance Committee and Board of Selectmen and WiredWest Representative, Town Hall
- April 8th, Western Region Homeland Security Advisory Council's Anti-terrorism Exercise, Pittsfield
- April 14th, Berkshire Regional Managers Meeting, North Adams.

Public Input.

Meredith Babcock spoke in support of the Energy Committee's Resolution. She expressed that we should take responsibility for how we "feather our nests" and it is wise and responsible to ask someone to do their job of investing for socially responsible practices. She clarified the reason Becket, at Town Meeting, sent representatives the message about the proposed gas pipeline; the proposed project would be built with tax payer monies, including Becket's. Without public funds, the gas company indicated it would not proceed with the project.

Colleen O' Connor asked the Board to create a bylaw to solve problems with Title V and water on town properties. Bill suggested that she could write an article and submit to ATM via petition.

Any other business to come before the Board.

None

Review Correspondence.

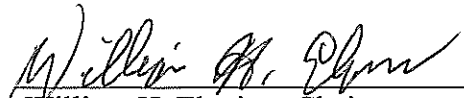
1. Massachusetts Dept of Transportation letter dated 3/19/15 with contract to issue reimbursement up to \$36,507 for road repairs. The contract was signed on Monday and the Highway Superintendent submitted it to Mass DOT on Tuesday.
2. Governor Baker letter dated 3/24/15 to announce the release of Chapter 90 funds. 100 million chapter 90 money.
3. Kerry Sullivan, District Director, Office of State Representative Smitty Pignatelli e-mail dated 3/27/15 to announce that the State House Authorized to move the bill to the Senate to approve \$200 Million in Chapter 90 Funds for Local Infrastructure Projects. Becket's FY16 Apportionment: \$242,898.
4. Center Pond Restoration and Protection District letter dated 3/18/15 with enclosures 1) Copy of Chapter 243 of the Acts of 2010 and 2) Center Pond District Bylaws

Selectmen to adjourn meeting.

At 8:34 p.m. Angie moved to adjourn, Bill seconded. Motion passed with roll call vote: Angie – aye, Jeanne – aye, Bill - aye

The Board Reviewed Payroll/Expense Warrants.

Respectfully submitted,
Beverly Gilbert, Secretary



William H. Elovirta, Chairman

Documents discussed at meeting:

- Energy Committee Resolution on the Climate Crisis
- MBI Draft Town Meeting Warrant Article a) Town's Warrant Article draft dated 2/27/15 and b) WiredWest Article Draft dated 3/26/15
- Town Clerk's certified Petition Article CPA
- Draft Town of Becket Financial Summary FY2015 Budget
- Proposed Vacant Properties ByLaw (draft revised 3/27/15)
- Highway Department Monthly Reports: Dec., Jan., Feb.
- Commonwealth of Mass. Dept. of Agricultural Resources, Division of Animal Health Nomination of Inspector of Animals Form dated 3/6/15