

**Town of Becket
Board of Selectmen's Meeting
September 2, 2015
7:00 PM
Town Hall,
557 Main Street, Becket**

Attendees:

Board of Selectmen: Jeanne Pryor *Chairperson*; William "Bill" Elovirta, *Vice Chair*,
Angela Hilton *Clerk*

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

Others: David Boomsma, Garth Klimchuk (Becket Energy Committee Chair),
Jeremy Dunn (Becket WiredWest Delegate), Lori Kurtz, Paul Merrill,
David Friar, John Barry (Barry Architects, Inc.)

Call to Order

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

Jeanne asked if anyone was recording the meeting. The Board of Selectmen and Angela were recording the meeting.

Pledge of Allegiance

The Chair led those attending in the Pledge of Allegiance.

Approval of Minutes

Bill moved to approve the 8/5/15 and 8/19/15 minutes as written. Angie seconded. Motion carried unanimously.

Board to consider appointing Richard Pryor to the Conservation Commission

Jeanne asked Ed if he spoke to Shep Evans about Richard Pryor's application for appointment to the Conservation Commission. Ed conveyed that Shep is thrilled. Bill moved to appoint Richard Pryor to the Conservation Commission for a term ending 6/30/18. Angie seconded. Motion carried unanimously.

Bid Opening for Alterations to the Town Hall Entranceway for ADA Compliance

At 7:05 PM, Jeanne invited John Barry of Barry Architects, Inc. to approach the Board for the Bid Opening for Alterations to the Town Hall Entranceway for ADA Compliance. The Town had contracted Mr. Barry to design and review the bid documents. The town received two bids:

1. Kurtz Inc., Westfield
Proposed base price \$89,143
Alternate 1 add \$40,830
Alternate 2 add \$17,858
Alternate 3 add \$54,883

2. Salco Construction Co. Inc., Pittsfield
Proposed base price \$66,507
Alternate 1 add \$28,666
Alternate 2 add \$12,511
Alternate 3 add \$33,398

John Barry stated that all bid documents presented appear to be in order. Ed copied the bids for Mr. Barry. During the Town Administrator's Report portion of this meeting, Ed informed the BOS that the bids were about double what had been anticipated. Ed stated that John and he speculate that "supply and demand" play into the higher prices. John will analyze the bid documents to determine if there are items he had not considered. The town may elect to reject all bids and re-bid at a later time. If the contractors are cherry picking their projects, the town may elect to reject all bids and re-bid at a later time when the contractors might be "hungrier" for work (maybe fall or spring). However, if higher costs are unavoidable and significantly exceed the amount approved for this project at the May 2015 ATM, it will be necessary to return to a Town Meeting to seek additional funding. Ed and Mr. Barry will take the bids under advisement. Ed anticipates presenting his recommendation at the next BOS meeting.

Garth Klimchuk Presentation of Possible Solar Projects & Energy Committee Update

On behalf of the Becket Energy Committee ("BAC"), Garth Klimchuk provided an update to the BOS:

- Solar Energy

The BAC initiated a relationship with Seth Ginsberg of Apis Energy Group. The BAC is trying to establish a community solar project so that Town of Becket and the residents may work toward the goal of becoming a greener community. Seth Ginsberg helped the BAC look at potential sites to determine if they might be appropriate for developing solar energy. In addition, Seth helped with Eversource's interview process. The BAC concluded that the Becket sites are not feasible because

1) some of the sites are very expensive to clear and 2) many of the sites connect to an essential power circuit that would require too much money to upgrade. The town is at the end of a power line that serves a lot of towns belonging to Eversource. Because the power line is at its capacity, an upgrade is needed. The last group in (Becket) must pay for the upgrade (despite that other towns connected would reap the benefit).

Seth found a site in Pittsfield within the service territory of Eversource and under Massachusetts laws, towns within the service territory may benefit from the solar project. The BAC wants to obtain priority on the Pittsfield project for the Town of Becket, and for residents who may like to participate. Those who want to buy solar power from the Pittsfield project would get a discount on their utility bills. Seth is developing the Pittsfield project. The Pittsfield site has a very low interconnection cost, will yield about 2.8 megawatts and can supply Becket, Washington, Hinsdale, some of Pittsfield as well as some others towns within the territory. As part of the BAC, Garth will negotiate to get the Town of Becket and its residents priority, and obtain a virtual net metering agreement for the town to supply its needs at a discount. The BAC wants to move swiftly to realize a 30% investment tax credit expiring next year. Because of the tax credit deadline, the BEC wants to stop looking for sites within the town. Garth indicated that the only costs relating to the solar power project is legal fees for an attorney to review the contract for the virtual net metering agreement. After Garth reviews a draft contract, he will ask for the BOS' consent to send the agreement for town counsel to review and to assist with the negotiation between the town and the ultimate owner of that facility, SunEdison, which is one of the largest renewable energy companies in the world. Garth stated that because SunEdison is very well

financed as well as knowledgeable about construction, he thinks SunEdison will be a good long-term owner. The BEC requests for the Town to provide whatever cooperation and assistance that may be necessary to enable Apis Energy Group to pursue this objective on behalf of the BEC at no expense (other than legal fees) to the Town. Garth Klimchuk fielded questions. Jeremy inquired about the length of commitment for those participating and was told it would be 20 years for a 10% discount over the prevailing utility bill rate. Garth may reach out to the town for information with respect to load. At Jeremy's inquiry, Garth will find out the Pittsfield location.

- Small Scale Wind – They are considering the William's property (not commercial, not large scale).
- Divestment – At the May 2015 ATM, the town did not support the BEC's Warrant Article regarding Divestment.
- Solar Energy– To open up possibilities, the BEC will not confine sites to town or private properties. This was after Seth looked into the William's property, the town's leech field property, town building roofs (The Town Hall Roof needs repairs/replacement and the timing for getting state funding will not work)
- Small hydro power net metering legislations power – Although moving at a slower pace, the BEC is interested in hydro power.
- The BEC would like all town buildings to be under the Pittsfield Solar Energy load.

A brief discussion ensued regarding community aggregation. If this were done, all town municipal buildings and lighting, residents, and businesses would automatically be assigned an energy supplier unless they elected to opt out. Garth said the Green Community Act promotes aggregation and communities participating obtain a discount. Jeremy asked if Becket entered into an aggregation agreement, how that would impact residents who already had net metering agreement contracts with suppliers. Garth advised that situation would not change.

WiredWest Broadband Project Update, Jeremy Dunn, Becket WiredWest Representative
Jeremy Dunn provided an update on the WiredWest Broadband Project. He has been attending the monthly meetings. The project is moving along. Today he had brought the newly appointed Alternate Delegate Bob Gross up to speed. Bob will attend the next month's meeting and will attend meetings Jeremy can't attend in Oct and November.

Approximately 14 towns, including Becket, authorized WiredWest to use their \$5,000 per town grant provided by MBI. WiredWest will use about \$30,000 of the \$70,000 for marketing (mailings including post cards, fliers, & letters for Hinsdale who recently joined.

Currently Becket has obtained 84% of the sign up goal. The original deadline of 6/30/15 was rescinded by the WiredWest Board and the new deadline will most likely be 6/30/16, the same deadline for state funding. Some areas of the town are well-subscribed. He would like to promote WiredWest to poorly subscribed areas. Some towns already met their 40% signups and the representatives of those towns have indicated they may volunteer to help other towns reach their goals. Becket is very important to this project because it is the largest of the 32 small towns and we have about 9% of the total signups and the project wants to see Becket's signups grow.

Jeremy stated it is too early to know the order in which the towns will obtain broadband. Although it may seem fair to have towns which first obtained their 40% signups go first, this will not be how the order will be determined. It may make sense financially for the largest towns to go first to generate revenue to help support the project.

The initial telephone pole survey to see if they are strong enough and if the wires are working properly is soon to begin. The order of the telephone surveys will happen based on the convenience of the contractor (locations of equipment/trucks). MBI is still determining how many towns are participating. Until then, it will be difficult to know in what order to do things (equipment huts that will be shared between towns). MBI hopes to have a better sense of the participating towns in six months.

Jeremy talked about the timeframe of the project. He anticipates the project may span three or four years. If Becket is one of the first towns, the project may be completed by the middle of the year 2018 or 2019. There is one year's worth of surveying and getting ready, another fiscal year of placing telephone poles and moving wires around, and another fiscal year's worth of actually pulling wiring and connecting them to homes.

There was discussion about the Town of Otis withdrawing from WiredWest which Jeremy attributes to the result of some misinformation. He indicated that leadership of WiredWest is trying to make amends but he thinks unfortunately that the Town of Otis will not change its mind and requested that all money be refunded. Jeanne mentioned that Otis's town website says, Wired West proposes to only provide "drops" to residents and business owners who pre-subscribe instead of all premises; the Board prefers that all taxpayers receiving the same benefit to the greatest extent possible; MBI's total project costs assumes drops to all premises. Jeremy said that is true and there is a reason for that. He explained that WiredWest will put cable on every street including every private way with the permission of those private associations. The problems in Otis Woodlands is that there are miles and miles of underground wiring (much like Becket Woods but the scale of it is much greater than Becket Woods) and they would try to figure out a way to do broadband but by using poles. He indicated that connection will be done only for people who subscribe and they will be given a strong incentive to subscribe at the beginning of the project. There will be a WiredWest sales team promoting not only the ones who signed up but everyone else to take service then if they want it. If they take it then, then the money it costs to connect from the street will be free up to a certain distance but if they decide 2 or 3 years later, then it will cost more. So it is true, there will not be drops to each house.

Jeremy reported that he asked Matthew Crocker (President) and Bill Stahis (Director of Sales) of Crocker Communications to stop soliciting towns which clearly reached decision to work with WiredWest. He thinks doing so results in confusion and makes it difficult for the Select boards and those involved with the town (such as volunteers) who are working with WiredWest. He indicated that if the BOS were to schedule Crocker Communications or other broadband groups competing with WiredWest on an agenda, he would like to attend in his capacity of WiredWest delegate.

Eric Nakajima of Massachusetts Broadband Institute will attend the next BOS meeting. Jeremy and Jim Draw (hopefully Bob Gross) plan to attend. Eric's goal is to build effective working relationships with towns, and get to know the members of each of the Select boards. He wants to confirm the town's plans relating to obtaining broadband including commitments with working

with WiredWest. Jeremy asked the BOS to send a clear message that Becket wants to participate in the WiredWest project (if that is in fact the case). Bill thought it was already known that Becket will use WiredWest, and Jeanne stated that now that the town has specifically voted to support WiredWest, she would feel uncomfortable to all of a sudden say, "No, we are not doing that."

Jeremy indicated that MBI must be fair and support towns regardless if they are part of WiredWest. For example, Alford is not part of WiredWest. Despite the additional costs, Alford wants broadband now: not in 3 or 4 years. Jeremy also discussed several other towns' situations. Even if a town is not part of WiredWest, Mass. Broadband Institute will work with them to realize state funding/incentives for broadband.

At Ed's inquiry, discussion ensued regarding the Middle Mile. Jeremy advised that unfortunately because of the high costs, WiredWest's use of the Middle Mile will be limited.

Jeanne would like to target new owners for a postcard mailing. Jeremy will inquire with WiredWest to coordinate the mailing. Many property owners do not see town mailings because they are sent to banks or other financial bill paying firms. Jeanne would like to see if the town has alternate mailing addresses to make direct contact with the property owners. Jeremy will review the town's mailing list.

Ed inquired if WiredWest would need to form a new organization because some of the towns that joined are not moving forward. Jeremy indicated WiredWest is considering the following options:

- 1) to form a new organization, 2) to keep existing WiredWest organization as is but ask towns not actively participating to withdraw 3) Re-form WiredWest as an LLC with legal paid membership co-owner where each town's ownership is proportional to the money contributed by that town, and non-owner member towns may retain their memberships if they so elected.

Steve Nelson, the Chair of the Government Committee from Washington, MA, is working with an attorney to form a plan. Jeremy does not expect this will be resolved until the end of the year with the new plan to take effect next fiscal year.

Public Input

David Boomsma inquired about the town's policy to replace the Murray Lane street sign which he reported missing to the Highway Superintendent. Bill advised he had a conversation with the Highway Superintendent who originally thought the state would be responsible for that particular sign but he ordered a new street sign after Bill advised that that town policy allows for such. Bill stated that his understanding is that when enhanced 911 was implemented the town spent \$10,000 to put signs on every street in town and inside every private subdivision and after the initial placement of signs the town would only replace the signs that abutted a private or a town road to a state road or a town road but they would not replace a sign inside a subdivision. A discussion ensued regarding the town's street sign policy. Jeanne stated that she would be interested in seeing the written policy Bill had mentioned. Bev will search the BOS's files and minutes for additional information. A Public Hearing regarding renaming streets to facilitate the implementation of Enhanced 911, Emergency Call Services occurred in the early 1990s.

Monthly Reports

The BOS reviewed the August reports of the Animal Control Officer, and the Ambulance Departments.

Board of Selectmen's Comments and Announcements

Angie received a phone call from the Town of Washington Selectman Chair James Huebner requesting a Letter of Support to include in their MassWorks Grant application for the Middlefield Road Bridge Deck Project. Beverly, in response to a phone call she received from Philip G. Clark, a consultant for the Town of Washington, had prepared a letter of support for the BOS. Jeanne read the letter of support outlining why the Middlefield Road Bridge benefits the residents of Becket. Bill moved to send a letter of support for the rehabilitation of the Middlefield Road Bridge Deck project, seconded by Angie. Motion carried unanimously.

Angie followed up with Ed about her inquiry relating to the status of the Highway Department special licenses for two employees. Ed advised that one will be retiring in October and the other took the course and will be taking the test.

Town Administrator's report

MBI Broadband – The current status of the Broadband signups for Becket as of September 2nd is we are 84% of the way to our signup goal. One hundred and thirteen more locations to go to reach our goal of a required 40% take rate. Ed noted he observed a diminishing signup rate since a few weeks ago. A discussion ensued relating to obtaining additional signups via mailings.

Health, Conservation Agent and Committee Room – As a follow up on the possibility to re-arrange the Health/Conservation office and moving the Clerk of Committee from the Committee Room into the Health/Conservation office, Ed had talked to Mr. Evans, Conservation Agent. Mr. Evans has stated that he favors sharing the office and having the Clerk of Committees in that office too. The Clerk of Committees works in the Town Hall for the Planning Board, ZBA and Board of Health.

Clerk of Committees – After analyzing her work hours over the last eight months, Ed has determined that the individual filling the Clerk of Committees position, along with her hours at the Highway Department averages thirty one hours, enough work hours on a weekly basis to qualify for benefits. This means the employee is eligible for benefits such as holidays, vacation leave, personal/sick time, health insurance and life insurance. Ed will inform the employee that she will be paid for the Labor Day holiday and be paid retroactively for the July 4th holiday. Ed will derive a formula for her holiday, vacation and personal/sick time to be charged as a proportion between the Highway Department and Staff Coverage (work for the Board of Health and Planning Board and Zoning Board of Appeals). Ed explained that because outside the Highway Department, this individual's time is divided between four other departments, it will be easier and more efficient to account for the benefit time through charging it between two departments (Highway and Staff Coverage accounts) rather than five departments. The BOS agreed this will be a sensible approach.

MMA Fall Legislative Breakfast Meetings - Ed gave the Board the schedule of upcoming Breakfast Meetings.

Bonny Rigg Hill Road Culvert Replacement Project - Foresight Land Services has signed and returned the contracts for the design, permitting and limited construction oversight for the Bonny Rigg Hill Road Culvert Replacement project. Now that the contracts have been fully executed the design and permitting work for the project will begin in earnest.

Meetings - Ed will attend the Berkshire Administrators Association meeting in Sheffield on September 8th.

Any other business to come before the Board

Jeanne stated that the Bylaw Review Committee met on Monday. Angie and Bill agreed it will be beneficial for the Bylaw Review Committee to work on the Animal Control, Vacant Property, and Zoning Violations Bylaws.

Bill reported that two demolitions in Sherwood Forest (Kyle and Mystic) were completed. A brief discussion ensued in which Ed advised that the town is researching the ownership and will need to go through the required legal notification process regarding the Weiner property. If sufficient notification is not provided prior to demolishing structures, the town could be liable for significant damages.

Angie inquired about the status of approved Executive Session minutes. Ed indicated that he is researching and hopes to discuss at the next meeting.

Review Correspondence - None

Board of Selectmen intends to go into Executive Session under MGL c. 30A, section 21 (a) (3) to discuss:

- **Litigation strategy with respect to litigation Crystal Pond Homeowners Association vs. Town of Becket if an open meeting may have a detrimental impact of the public body on the litigating position on the town.**
- **Approval of Executive Session Minutes from August 5, 2015**

Bill moved to enter into Executive Session under MGL c. 30A, section 21 (a) (3) to discuss:

- Litigation strategy with respect to litigation Crystal Pond Homeowners Association vs. Town of Becket if an open meeting may have a detrimental impact of the public body on the litigating position on the town.
- Approval of Executive Session Minutes from August 5, 2015

and for the BOS to not reconvene into open meeting. Angie seconded. Roll call vote: Angie voted yes, Bill voted yes, and Jeanne voted yes. Angela turned off her recording device. At 8:32 PM the Board entered Executive Session.

Reviewed Payroll/Expense Warrants.

Respectfully submitted,
Beverly Gilbert, Secretary



Jeanne W. Pryor, *Chairperson*

Documents discussed at this meeting:

Town Administrator's Report

Letter Dated 9/1/15 from the Becket Energy Committee re: Solar Energy Opportunity

Appointment Application from Richard Pryor for Conservation Commission

August Reports of the Animal Control Officer) & Ambulance Department

Bid Packages for Alterations to the Town Hall Entranceway for ADA Compliance

- 1) Salco Construction Co. Inc., Pittsfield; and 2) Kurtz Inc., Westfield