

**Town of Becket
Board of Selectmen's Meeting
September 16, 2015
7:00 p.m.
Town Hall
557 Main Street, Becket**

Attendees:

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

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

Others: Jeremy Dunn (Becket WiredWest Delegate), Carl Goodman, Bill Stathis (Crocker Communications), Katherine Hoak, Jim Drawe (WiredWest), Steve Nelson (WiredWest), Eric Nakajima (Mass. Broadband Institute)

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 was recording the meeting.

Pledge of Allegiance

The Chair led those attending in the Pledge of Allegiance.

Approval of Minutes

Bill moved to approve the 9/2/15 minutes. Jeanne seconded. Motion carried.

Board to Consider Cultural Council Appointment Application(s)

Bill moved to reappointment Ruth Glazerman to the Cultural Council for a term expiring on 6/30/18. Jeanne seconded. Motion carried.

Bill moved to appoint Michelle Raymer and Catherine Savini to the Cultural Council for a term expiring 6/30/18. Jeanne seconded. Motion carried.

Monthly Reports of the Fire Department and Building Inspector

The BOS reviewed the August reports of the Volunteer Fire Department and Building Inspector.

Director Eric Nakajima and Outreach Manager Christine Hatch of Massachusetts Broadband Initiative to discuss Last Mile Initiative

Eric Nakajima, Director of Massachusetts Broadband Institute ("MBI"), discussed the Last Mile Initiative with the Board of Selectmen. Christine Hatch was not able to attend tonight's meeting. Mr. Nakajima's primary objective for attending tonight's meeting was to connect with and

personally introduce himself to the Select Board. He expressed his enthusiasm about being part of MBI, the state agency charged with facilitating the use of state funds earmarked for broadband deployment to the towns. He is excited that towns have taken extraordinary steps to organize themselves and move forward with votes to commit resources for the last mile projects. This gives great momentum for MBI's goals. He stated he is committed to helping all towns that wish to succeed in gaining broadband coverage. Mr. Nakajima outlined the process for building a fiber network:

- all the utilities poles in town must be catalogued
- permitting applications to ready the utilities poles in town must be submitted
- the utilities need to be prepared
- the network will be designed (preliminary, conceptual, actual specifications)
- there will be bidding to procure electrical and other items/services
- The routes will be clearly delineated, and how the different infrastructures will be built will be determined
- construction will be bid
- Fiber will be pulled, electronics installed, the software/construction will be optimized, and then the service may begin

Mr. Nakajima advised:

- The RFQ (request for qualifications) closes tomorrow for companies to survey and catalog poles
- It is anticipated that supporting applications will be concluded in October.
- The RFP is 80% complete for design/engineering services (it contains concepts of how to build a network)
- Later this fall, MBI hopes to develop draft contracts between MBI and towns, municipal light plants, and light plant cooperatives (WiredWest is a light plant cooperative). He noted the importance of contracts for project management and funding oversight.

Mr. Nakajima fielded questions. Katherine Hoak asked him to distinguish between MBI and WiredWest. He replied:

MBI is the state agency entrusted with managing state dollars to invest in this program. MBI has a fiduciary responsibility to the legislature and to the governor to administer that program. The most basic distinction is that MBI as a state agency, will administer the program and will allot money to assist with the support of the cost as well as provide technical assistance and professional staff that can help ease and improve the ability of towns to build broadband in the towns. He likened MBI to MassDot and its chapter 90 program which has rules and regulations for operating. WiredWest is a cooperative composed of a group of towns. WiredWest is a vehicle towns have chosen to build broadband that provides services for their residents. MBI's job is to manage the project's design and the construction of the network from a professional management standpoint. MBI respects that WiredWest has organized itself to aggregate the voice of towns tasked to engage in construction management issues. WiredWest organizes the interaction between towns and the state in order to be more streamlined and effective. WiredWest will manage the broadband service cooperative and procurement of services (entity to provide service). WiredWest serves as a representative to communicate and oversee towns' vision for the project (review of progress, change orders, designs). WiredWest represents towns at MBI meetings.

A discussion ensued regarding the MBI's last mile policy document recently published. Jeremy Dunn inquired why it was important to have the sentence, "Last Mile local and regional broadband networks, having been constructed entirely through the investments by the Commonwealth and local residents (either as property-tax payers, renters or broadband subscribers), will be owned by their respective municipalities." Jeremy explained:

- that he believes that the only way towns can operate and build effectively and economically is as a collective. If there were any money to be made in it, it would have been done before now. There is no profit to be gained on this project on a commercial basis or Verizon would have been here a decade ago.
- The only way towns can realize this project is with the state and town's money.
- He expressed appreciation to Mr. Nakajima for all the organizations he must consider, and for the good job he is doing balancing all involved. He asked Mr. Nakajima to please understand that the towns feel it is in their interest to cooperate and part of that cooperation may be to form a joint ownership. Jeremy expressed that he most certainly respects that the state's oversight interests (legitimate oversight interests) need to be represented and protected and he requested that together he is hoping they will figure out a way to form a structure that serves all of us. Mr. Nakajima indicated that he wants the towns to obtain long-term success with the broadband project and toward this end he is willing to explore and discuss in more detail the issue of ownership of assets and how a contract may serve the needs of the towns and meet the Commonwealth's mandates for MBI to establish mechanisms to ensure and address areas of accountability for town's receiving assistance.

Ed asked questions about the middle mile. Mr. Nakajima advised that the state anticipates continuing its ownership and maintenance of the middle mile.

Ed inquired about the agreement process between MBI and the towns. There will be a contract between MBI and WiredWest and a contract between WiredWest and the towns. MBI needs to be satisfied that there will be a vehicle in place that allows for towns to have an ongoing and direct input.

Steve Nelson indicated that the operating agreement between WiredWest and the towns will include and spell out ownership, rights, responsibilities, and how to terminate the contract. Steve is bringing the contract/bylaws to WiredWest's attorneys. He anticipates that WiredWest will submit a draft contract to the BOS mid November with a fully executed agreement targeted for January.

Street Sign Replacement Policy

Ed indicated that at the last BOS meeting, there was some question as to whether or not the BOS adopted a Street Sign Policy. Some research has been done. Based on Bill's words from the 9/2/15 meeting and several additions denoted in bold ink, Ed drafted the below Street Sign Policy:

The Town of Becket acting through its Highway Department will only replace street signs that abut a private road or a town road to a state road or **an accepted** town road but the town will not replace a street sign inside a **(private)** subdivision.

Ed will search prior BOS and Town Meeting minutes (early 1990 years when the town spent \$10,000 for E-911 street signs) for town policy regarding street sign

replacement. If no policy is referenced, the BOS indicated its interest in adopting a street sign replacement policy.

Alterations to the Town Hall Entranceway for ADA Compliance Bid Response: Discussion and possible Vote

At the recommendation of the Town Administrator/Chief Procurement Officer and John Barry, Bill moved to reject all bids for Alterations to the Town Hall Entranceway for ADA Compliance. Jeanne seconded. Motion carried. Ed had explained that both Architect John Barry and he agreed it is in the town's best interest to rebid during winter after the active construction season has ceased. The bids received were significantly higher than what the town had allocated for this project. It is the board's hope that bidding during a quieter construction period will yield more competitive prices as they want to avoid returning to Town Meeting for additional funding. Ed will explore other options (i.e. perhaps town employees may work on portions of the project – such as the removal of the stairs) if future bids run high.

The BOS agreed that Ed will arrange for the Town Custodian to install temporary handrails.

Board of Selectmen's Comments and Announcements

Jeanne reported that she has been working to promote WiredWest subscriptions in Sherwood Forest by canvassing and sending a personal mailing to about 90 homeowners.

Town Administrator's report

MBI Broadband – The current status of the Broadband signups for Becket as of today is we are 85% of the way to our signup goal. One hundred and eight more locations to go to reach our goal of a required 40% take rate.

Center Cemetery Shed: The shed at Center Cemetery has been cleaned out and demolished. The sight has been prepared with gravel, and trees/brush removal to enable the delivery and placement of the new shed.

Executive Session Minutes: Beverly and Nina have reviewed the Executive Session Minute files. Currently there are eleven meetings between July 12, 2012 and September 2, 2015 where the Executive Session Minutes still need to be reviewed and approved by the Board of Selectmen. There are also seven instances of approved Executive Session minutes which may be considered for release. There are five meetings where the Executive Session Minutes have not been approved and there is not an audio recording of the meeting. A summary of the review performed by Beverly and Nina accompanies this report.

Wade Inn Road Improvement and Paving Project: The bid packages are out for the Wade Inn Road Improvement and Paving project. Eighteen (18) vendors requested bid packages. The bids are due back and will be opened at the October 7th meeting of the BOS.

Becket Community Partnership: The Athenaeum, Arts Center, School and Church formed a new group called the Becket Community Partnership with the goal to increase attendance and enhance the Annual Fair held in the spring.

Meetings: Ed attended the MEMA, EMOG grant meeting held at the MEMA Regional Headquarters in Agawam last Thursday. The Berkshire Educational Task Force Meeting is this

Saturday at Nessacus Middle School. He will attend the Shed delivery to the Center Cemetery on Tuesday, September 22nd and the STAM meeting on Thursday, 9/24 in Great Barrington.

Public Input

None

Any other business to come before the Board

The Planning Board sent a communication dated 9/14/15 requesting BOS comment on the Two State YMCA's Special Permit Application for Property Located at YMCA Road and Route 8 (Assessor's Map 212, Lot 8). Jeanne and Bill indicated they wished to convey that they have no issue with this application with the stipulations that the new signs remain in the same locations as the preceding signs and that the replacement signs do not obstruct the view of vehicles traveling at the intersection of YMCA.

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 September 2, 2015**

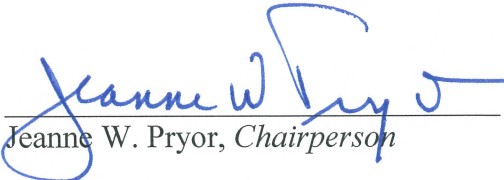
Bill moved to enter into Executive Session under MGL c. 30A, section 21 (a) (3) to discuss:

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and for the BOS to not reconvene into open meeting. Jeanne seconded. Roll call vote: Bill voted yes, and Jeanne voted yes. At 8:30 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
Appointment Application from Ruth Glazerman, Michelle Raymer & Catherine Savini for the Cultural Council
August Reports of the Fire Department and Building Inspector