

**Town of Becket  
Board of Selectmen's Meeting  
May 04, 2016  
7:00 p.m.  
Town Hall  
557 Main Street, Becket**

**Attendees:**

Board of Selectmen: Jeanne Pryor, Chairperson; William Elovirta, Vice Chairperson;

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

Others: Colleen O'Connor, Mercedes Gallagher, Purr McEwen, Michelle Raymer, Heather (Anello) Spencer, Michael Spencer, Nicole Ledoux, Laurel Burgwardt

**Call to Order**

Jeanne called the meeting to order at 7 p.m. 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. Beverly for the Board of Selectmen indicated that she was recording the meeting.

**Pledge of Allegiance**

The Chairperson led those attending in the Pledge of Allegiance.

**Approval of Minutes**

Bill moved to approve the meeting minutes of 03/16/2016. Jeanne seconded. Motion carried.

**Purr McEwen & Michelle Raymer re: the Becket Washington Community Fair**

Purr McEwen and Michelle Raymer discussed logistics concerning the Becket Washington Fair:

1) The BOS agreed the Fair may use for table space/demos Bidwell Park, the Tennis Courts (they will not block the bridge) and Memorial Park. Bill advised that the electrical outlet at Memorial Park provides 15 amps. They advised that they discussed their plans with the Chairperson of the Parks & Recreation Committee who gave permission to place tables right on the tennis courts in addition to using the adjacent grassy areas.

2) Parking areas will include the school, basketball courts located at the corner of Lyman St and Route 8 across from the Fire Station (Bill suggested roping off the area directly across the Fire Station so that the Fire Trucks will not be blocked), Lyman Street, near the Becket General Store (Washington Street), and Pleasant Street. Michelle and Purr will continue working with the Police Department to iron out the details of parking, traffic flow, and barriers. The BOS indicated they would be amenable for the Police Department to arrange for one-way traffic flow travel along Brooker Hill (travelling uphill) and Carter Road during the event.

3) They would like to post banners along Route 8. The BOS suggested that they contact Mass. Highway Department in case a permit is required. They plan to post yard signs to advertise the Fair. The BOS and Ed cautioned and recommended that any lawn signs posted on private property along the state roads should be a healthy distance from the roadway (behind the line of telephone poles) so that they are not on the state right of way and possibly removed by Mass. Highway Dept.

4) Chris Post from Wandering Star Brewery will apply for two separate Wine and Beer permits. The proceeds of the daytime alcoholic beverage sales will benefit the Library and the Washington/Becket PTO. The proceeds of the night Beer Garden event will benefit the Becket Fire Department.

**Town Administrator's Contract Extension effective 5/13/2016 through 6/30/2016 (current contract 5/13/2013 to 5/12/2016)**

Jeanne advised that at the 12/16/2016 Executive Session, the BOS voted to extend the Town Administrator's contract through 6/30/2016 so that it would run concurrently with the fiscal year. Jeanne moved to approve (and sign) the Town Administrator's contract extension (effective 5/13/2016 through 6/30/2016), seconded by Bill. Motion carried. The Town Clerk notarized Jeanne and Bill's signatures on the contract extension.

**Mercedes Gallagher re: Wild & Scenic Westfield River Committee Report**

Mercedes Gallagher, Representative to the Wild & Scenic Westfield River Committee, highlighted information in their Annual Report, as well as goals, activities and accomplishments. Those participating as members of the Wild & Scenic Westfield River Committee raise awareness of the Westfield River (a state and locally managed river which receives federal and state funding) and its resources and they advocate for its preservation and protection. She indicated that the verdict is yet to be determined as to whether or not Didymo (aka Rock Snot) found in the West Branch of the River is in fact invasive. They continue to recommend that boaters exercise caution by checking, cleaning and drying gear and equipment before reentering waterways.

Mercedes inquired if the BOS would favor the Wild & Scenic River erecting an educational kiosk in Bidwell Park. The BOS recommended that she provide a picture and designs of the kiosk and in addition to the BOS, she would need to approach the Conservation Commission Parks & Recreation Committee.

Mercedes stated that the protected status of the river might have been one of the factors causing the gas pipeline company to withdraw its application from the community.

**Town Administrator's Evaluation Public Release**

Jeanne indicated that she had met with Ed on April 26<sup>th</sup> to discuss his annual performance evaluation including feedback generated from individual rating and comment forms completed by the three Selectmen, and confidential staff surveys submitted by fourteen Town Employees. Jeanne read the Town Administrator's Evaluation Public Release.

**Designating the Moderator and Deputy Moderator as Special Municipal Employees**

Ethan Klepeter, Deputy Moderator who is also an attorney, had communicated that he would like to represent a client who will appear before the Planning Board. Because of concerns about the Conflict of Interest Rules, he asked that the BOS consider assigning Special Municipal Employee status to the Deputy Moderator Position. Jeanne moved to designate the Deputy Moderator position as a Special Municipal Employee. Bill seconded. Motion carried. Jeanne moved to designate the Moderator Position as a Special Municipal Employee. Bill seconded. Motion carried.

**Transfer Station - Follow-up on Bag Stickers Discussion**

Because it is time to replenish the town's bag sticker supply, prior to tonight's meeting, as a way to test the quality of potential new stickers, Ed affixed bag stickers to trash bags and placed them into the refrigerator and freezer. This was to address complaints that the existing bag stickers tend

to fall off the bags during cold weather. Ed removed the bags from the refrigerator/freezer for the BOS to inspect. The adhesive appeared to do its job. The BOS agreed to switch to a new bag sticker design which has the following listed attributes: perforated, five stickers to a sheet, 500 stickers to a package, rectangular, may be placed around the neck of the trash bag (additional holding power), yellow color, numbered, and will state, "Maximum 33 gallons".

### **Beach Permits – Follow-up on Discussion**

Ed stated that he placed Beach Permits on the agenda as a follow-up to prior discussion. The BOS will invite the Parks & Recreation Committee to discuss how the town will manage beach permits. The BOS will review the town's agreement with the state for the language concerning public access on the property located at the Town Beach.

### **Discussion for continuing services for Porchlight VNA/Home Care in FY2017**

This agenda item was tabled. Porchlight VNA/Home Care had provided detail about tuberculosis services which Ed had requested that they incorporate into the agreement.

### **Town Website Upgrade Discussion**

Ed discussed the advantages of upgrading the software for the town website including that newer technology is needed, we can discontinue using First Class which requires a license for each user (The Town Hall has one user license for 1<sup>st</sup> class and this presents a challenge to maintain the website during that user's absence), the upgrade would allow posting messages off site (such as weather advisories, special closings) and would allow committee and department heads to upgrade their sections of the website. Jeanne moved to purchase the upgrade software for the town website in the amount of \$5,000 to be divided over a three year period, seconded by Bill. Motion carried.

### **Interdepartmental Request for Transfer - \$1,380.24 from Treasurer Expense to Treasurer Salary**

In January the BOS approved to increase the Treasurer's hours from 30 to 32 hours per week. To cover the expense of the additional hours, Ed advised that an interdepartmental transfer is needed. In accordance with Mass. General Laws, inter-departmental transfers may occur only during the months of May and June. Bill moved to transfer \$1,380.24 from the Treasurer's Expenses account to the Treasurer's Salary account. Jeanne seconded. Motion carried. Because Finance Committee approval is also required on interdepartmental transfers, this request will go before the Finance Committee.

### **Request for Transfer from the Reserve Fund (informational only) - \$7,037.36 into Veterans Benefits**

Due to unanticipated additional veterans, tomorrow night, Ed will recommend to the Finance Committee that they approve a Transfer from the Reserve Fund to cover a \$7,037.36 shortfall. Ed pointed out that the state will reimburse the Town 75% of Veterans Benefits in the next fiscal year (there is a one-year lag).

### **Monthly Reports: Police Department, Highway, Ambulance**

The BOS reviewed the reports of the Police, Highway and Ambulance Departments.

### **Board of Selectmen's Comments and Announcements**

Per Bill's recommendation, Ed will compose a letter of appreciation to George Letourneau who after many years completed his last tour of duty from the Ambulance Department.

Per Bill's inquiry, Ed will direct the Building Inspector to enforce the house number bylaw to known violators.

### **Town Administrator's Report**

The Town Administrator's Report included MBI Broadband status (79 more locations needed to our signup goal), MIA Dividends (we will receive \$1,023 part of \$500,000 dividends announced on January 21, 2016 at the Massachusetts Municipal conference), Becket Woods Annual Meeting & Proxy Materials received (Ed asked if the BOS want to continue the practice of not completing the proxy), Age Friendly Berkshires Invitation (COA/MCOA Breakfast with Secretary Alice Bonner sponsored by Home Instead in Pittsfield on 5/26), RRG Real Estate Valuation Field Work (Triennial Valuation Certification field work will occur on 5/12 & 5/13), SFRMD District Tax Injunction (The Court ordered the Town to issue tax bills on behalf of the Sherwood Forest Road Maintenance District for abutters of Wells Road), Retiree Dental Insurance (Ed will research Town Policy to determine if Retiree's are eligible to receive Dental Insurance under the Town's policy), Bonny Rigg Hill Road Culvert Project (Chris Bouchard referred Mass DOT's minor questions and comments to Foresight Engineering for them to address), Streetscan Pavement Workshop (June 3<sup>rd</sup> Lenox Town Hall), and Meetings (Ed will attend the Finance Committee meeting, and Baby Town Meeting/Meet the Candidates Forum tomorrow night, and the Berkshire Town Administrator's and Managers meeting on 5/10).

### **Public Input**

Heather Anello announced that she has submitted an application to the Planning Board for a permit to relocate her business (Becket General Store) to 3235 Main Street from 30 Washington Street, and her intentions to transfer her licenses and willingness to work with the town boards and committees as required.

### **Any other business to come before the Board**

Bill moved for the town to participate in a shared vocational high school transportation services agreement between the towns of Becket, Middlefield, Russell, Chester Montgomery, Huntington, and Blandford for a two-years with an option to extend the agreement for another two years. Jeanne seconded. Motion carried.

Bill moved to re-appoint Ed Chief Procurement Officer from 5/13/2016 through 6/30/2016. Jeanne seconded. Motion carried.

Jeanne stated that in light of the court injunction for the town to issue Sherwood Forest Road Maintenance tax bills to the abutters of Wells Road, it is important that Sherwood Forest Roads Maintenance District adopt procedures to provide documentation to town officials (Tax Collector, Board of Assessors, Town Clerk) when it approves applications of property owners to opt out of the Road Maintenance District.

Jeanne moved to send a letter to the Attorney General to seek clarification as to whether or not Districts created by Special Acts of the Legislature are required to submit changes to their bylaws to the Attorney General for approval, as towns are required to do, to ensure that proposed bylaw amendments are consistent with the constitution and the laws of the Commonwealth, and if the Districts are required to submit changes to their bylaws to the Attorney General, to describe any notification and posting requirements of which the Districts must comply as part of the process. Bill seconded. Motion carried.

**Board of Selectmen intends to go into Executive Session under MGL c. 30A, section 21 (a) (2 & 3) for discussion & possible vote on the following matters on the basis that an open meeting may have a detrimental impact of the public body on the litigating and bargaining positions of the town: 1) litigation strategy & settlement with respect to litigation Crystal Pond Homeowners Association vs. Town of Becket. 2) Town Administrator's Employment Contract and 3) Approval and possible release of Executive Session Minutes dated 3/2/2016, 8/14/2015, 8/10/2015, 10/1/2014, & 12/4/2013**

At 8:44, Jeanne moved to go into Executive Session under MGL c. 30A, section 21 (a) (2 & 3) for discussion & possible vote on the following matters on the basis that an open meeting may have a detrimental impact of the public body on the litigating and bargaining positions of the town: 1) litigation strategy & settlement with respect to litigation Crystal Pond Homeowners Association vs. Town of Becket. 2) Town Administrator's Employment Contract and 3) Approval and possible release of Executive Session Minutes dated 8/14/2015, 8/10/2015, & 10/1/2014

**Return to open session**

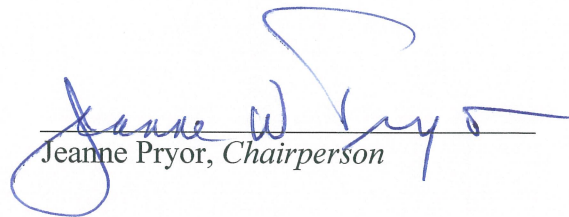
At 9:55, the Board returned to open session.

**Selectmen to adjourn meeting**

At 9:55, Jeanne moved to adjourn, seconded by Bill. Jeanne adjourned the meeting at 9:56 p.m.

**Reviewed Payroll/Expense Warrants.**

Respectfully submitted,  
Beverly Gilbert, Secretary

  
Jeanne Pryor, *Chairperson*

**Documents discussed at this meeting:**

Interdepartmental Transfer Form – Treasurer's Expenses to Treasurer's Salary  
Transfer From Reserve Form – Veteran's Benefits  
Wild and Scenic Westfield River 2015 Annual Report  
Town Administrator's Report  
Vocational Transportation Agreement – Shared Services  
Town Administrator's Contract Extension  
Police Department Monthly Report  
Highway Department Monthly Report  
Ambulance Department Monthly Report  
Transfer Station Sticker price comparison listing  
Becket Wood Annual Wood Meeting & Proxy Materials  
Berkshire County Superior Court Order for Preliminary Injunction issued 04/26/2016  
Letter from Board of Assessors re: recertification  
Streetscan Pavement Management Workshop notice  
Letter of invitation dated 4/29/15 re: Age Friendly Berkshires: COA/MCOA Breakfast  
Town Administrator's Evaluation Public Release