

**Town of Becket  
Board of Selectmen's Meeting  
July 20, 2016  
7:00 p.m.  
Town Hall  
557 Main Street, Becket**

**Attendees:**

Board of Selectmen: William Elovirta, *Chairperson*; Jeanne Pryor, *Vice Chairperson*;  
Nicole Ledoux, *Clerk*

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

Others: Jeremy Dunn, Colleen O'Connor, Debbie Toomey, Meredyth Babcock,  
Ken Smith, Ann Smith, Rita Furlong, Julia Maynard, and Jeanne Morano

**Call to Order**

Bill called the meeting to order at 7:03 p.m. He stated 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 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.

**Board to review minutes of previous meeting(s)**

Jeanne moved to approve the minutes for the 6/22/2016 working meeting, and the 7/6/2016 meeting. Nicole seconded. Motion carried unanimously.

**Board to sign deeds for property in Crystal Pond Homeowners Association**

Ed stated that Town Counsel Joel Bard signed an agreement on behalf of the Town to settle litigation with Crystal Pond Homeowners Association with the objective that the Town will not have to pay homeowner fees to Crystal Pond. The BOS signed two Quitclaim deeds to transfer ownership on two non-buildable lots (Assessors Map 413, Lot 57 and Assessors Map 212, Lot 19) to Crystal Pond Homeowners Association. The Town Clerk notarized the signatures.

**Opening of Town Hall Roof Replacement Bids & Board to take them under Consideration for Award**

Because the architect issued an addendum today, and to prevent the possibility of the bid being challenged since addendums technically should be issued at least three days prior to the bid opening date, Chief Procurement Officer Ed Gibson postponed the deadline to submit bids to 4 p.m. on 8/3/2016 with the bid opening to occur at 7:05 p.m. on 8/3/2016.

### **Broadband/MBI Readiness Assessment Update**

Becket's WiredWest Delegate and Broadband Ad-Hoc group member Jeremy Dunn presented and discussed the Broadband Update (dated 07/20/2016) he had prepared based on recent activity of the Broadband Ad-Hoc group formed in response to the Governor's restructuring involving a new last-mile team and "Readiness" process. This update included background, structure of the current plan, decision making process, recommendations to be approved by the Board of Selectmen (Municipal Light Plant), the next steps & approximate timeline.

Jeremy asked the Board of Selectmen (as the Town's MLP) to respond to a list of recommendations the Broadband Ad-Hoc group compiled concerning:

- premises to be covered by the FTTP build
- how underground/dry-buried utilities in private communities will be handled (who pays – town vs. private communities)
- how service may be provided to Mitchell Road
- up to what driveway length shall the town pay for drops
- how much of the debt-service should be paid by subscribers v. property owners

Ed will research and may consult with Town Counsel to ascertain if the BOS is authorized to act as the Town's Municipal Light Plant Commissioner, and if not, what would need to occur in order to allow the BOS to officially serve in that capacity.

Discussion ensued on the sign-up campaign, and deposits.

Jeremy and Ed stated that they envision that the state will develop provisions allowing towns to use resources (such as WiredWest) to help municipalities collaborate and operate efficiently on functions that may be shared (such as finding, negotiating, contracting with vendors/service providers, operating the network).

Jeanne stated that to help keep the public informed, she had drafted an update on Becket's broadband project which had been reviewed at the last Broadband Ad-Hoc meeting. It was agreed that before posting the update to the town's website, Bill and Nicole will have an opportunity to review and provide their feedback.

### **Monthly Reports: Highway Department (dated 07/07/16), Police Department (June 2016), and others TBA**

The BOS reviewed the Highway Department (dated 07/07/16), Police Department, and Fire Department monthly reports.

### **Ken Smith re: Becket Quarry**

Ken Smith, President of the Becket Land Trust, requested the Town's assistance and support to combat visitor abuse (primarily teens) of the Quarry property. Problems include littering, vandalism, diving and jumping off the cliffs, swimming, drinking alcoholic beverages (including underage drinking), loud music and noise, and lighting fires. Police Chief McDonough confirmed that in June the Police Department responded to a complaint resulting in charges filed against an individual for cruelty to a dog occurring at the Quarry.

Ken advised that because they do not have the resources to hire a guard without parking fees, closing the property is not a viable option. To discourage the attendance of teens, the Becket Land Trust will block off one of the entrances to the parking lot and charge a \$10 parking fee. A security guard stationed in the parking lot will collect the fees and will remind visitors about the Quarry's rules. Once the parking lot is full (approximately 30 cars), the guard will not permit additional visitors. Members of the Becket Land Trust membership may park for free. The parking fees will be earmarked to pay for the security guard and the Becket Land Trust will revisit the need to continue having a security guard if attendance (along with the problems) is significantly reduced.

Discussion ensued about the rules that will be posted at the Quarry. Ken agreed to the following changes (denoted in bold):

- Per order of the Becket Land Trust. ~~and the Becket Police Department~~ **Police Department take notice.**
- No **Diving** Swimming
- Per order of the Becket Land Trust ~~and the Becket Board of Selectmen~~

Ed and Bill explained that legally, only the property owners should be listed next to "By Order." Because the property does not belong to the Town of Becket, it is not appropriate for the Board of Selectmen and Police Department to be listed "Per Order."

When Ken inquired if the Police Department could patrol at the Quarry, Chief McDonough stated that due to liability, the Police Department is not in a position to arrange for officers to leave their vehicles to conduct hiking patrols, and as part of exercising caution in matters relating to self-activation is not able to patrol the Quarry with the intention to enforce the rules. He advised that problems would cease if the swimming hole were to be eliminated and he had suggested that the security guard would be the appropriate one to enforce the rules. Ken indicated that the security guard will oversee the parking lot, and would be vulnerable if he were alone to confront hikers on the trails.

A discussion ensued regarding the Becket Land Trust's request for the town to place no-parking/tow away zones on the roads along the perimeter of the Quarry as a way to reduce walk-in traffic or if it is not possible to post tow away signs, to increase the no parking fines. Ed advised that the amount of Parking Fines does not fall under the BOS's jurisdiction. The town's By-law establishes the amount of parking fines at \$10 and the mechanism to change the amount is through town meeting. Ed suggested gauging the reaction of the neighborhood through a public hearing before considering the creation of tow-away zones in front of homes. Under the next agenda item, the BOS agreed to vote to amend the Street Rules & Regulations in order to place no-parking signs.

Ken advised that the Becket Land Trust will send a communication about its plans to its neighbors.

**Vote to amend the Street Rules & Regulations in order to place no-parking signs on both sides of Quarry Road from the Gould Road intersection to the section 2,491 feet in a south westerly direction.**

Bill moved to add the following to the Street Rules & Regulations:

- The Town will place no-parking signs on both sides of Quarry Road from the Gould Road intersection to the section 2,491 feet in a south westerly direction.
- The Town will place no-parking signs on both sides of Gould Road from the Quarry Road intersection to its end 989 feet in a southern direction.

Jeanne seconded. Motion carried unanimously. The BOS will advertise the aforementioned Rules and Regulations including the specific date it will take effect (early August).

#### **Retirement Letter submitted by Assessor Elizabeth Will effective 10/31/2016**

The BOS acknowledged receipt of Assessor Elizabeth Will's notification of her retirement from the Town effective 10/31/2016.

#### **Letter of Resignation submitted by Part-time Police Officer Travis Derby**

In response to a letter of resignation submitted by Part-time Police Officer Travis Derby in order for him to accept full-time employment with the Hinsdale Police Department, the BOS signed a letter wishing him well.

#### **The Federated Church of Becket Community Calendar**

Jeanne moved to approve paying \$24 to advertise the Board of Selectmen's meetings in the Federated Church Community 2017 Calendar. Bill seconded. Motion carried unanimously.

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

Jeanne indicated that she had written the letter to Representative Smitty Pignatelli regarding initiating amendments to the legislation of road and lake districts established by Acts of the Legislature.

Bill followed up on sending a letter of appreciation to George Litourneau for his many years of service on the Ambulance Department.

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

Town Hall Roof Replacement Project: discussed earlier in this meeting.

Town Hall ADA Improvement Project: The bids have been advertised and the bid packages are currently available. Bids will be accepted until August 17<sup>th</sup> at 4 p.m. and will be opened that night at the BOS meeting at 7:05 PM. There is a walkthrough of the Town Hall scheduled for August 28<sup>th</sup> at 10 a.m. for contractors who are interest in bidding on this project.

Berkshire County Educational Task Force: The Berkshire County Educational Task Force (of which Ed is a volunteer member) was supposed to receive \$150,000 in state funds through the FY 2017 State Budget, until those funds were cut by some of Gov. Baker's vetoes. The funds were originally requested by Senator Downing on behalf of the BCETF. This funding is key to the Task Force in researching and developing plans and templates to provide a sustainable and high quality education within the framework of declining population and enrollment in the public school systems in Berkshire County. Ed asked the BOS members if they have an opportunity to please contact Rep. Pignatelli and Senator Downing and encourage them to vote to override Gov. Baker's veto of this line item for funding. Jeanne made a motion that the Board of Selectmen send

a letter in support of overriding the Governor's veto of this line item. Bill seconded. The motion passed unanimously.

Virtual Town Hall Website Redesign: Nina, Beverly and Ed underwent the initial meeting of the redesign of the town Website this morning. The new website while still undergoing design input and ideas will be primarily based on the Town of Kingston, NH website design with some influence from the design of Salem, NH and Simsbury, CT websites. There are a number of items which we still need to provide to Virtual Town Hall for the "Draft" design input phase. Ed provided a copy of the designer's email and indicated that the BOS are welcome to provide any input or your preferences to Nina, Beverly or him. Once the "Draft" has been through the early design phases, it will be available for viewing and comments for further design work and then testing and implementation.

Town Clerk: George Roberts, Town Clerk, has filed the appropriate paperwork with the Attorney General's Office for the review of the By-Law revisions which we approved at the May 2016 Annual Town Meeting.

Finance Committee: The Finance Committee approved two Reserve Transfers to balance the end of Fiscal Year 2016 books at their meeting of July 13<sup>th</sup>, one for \$921.22 to the Ambulance Expense account for end of year repairs to the Ambulance and one for \$352.29 to the building Department Expense account due to mileage reimbursement at the end of the year since the Tahoe was out of service for the last three months of the fiscal year and unavailable for inspections.

Wade Inn Road: Wade Inn Road was closed today due to the Highway Department finishing up the culvert work on the road prior to the contract beginning the resurfacing work to Wade Inn Road. Chris Bouchard expects a final schedule for work to be performed on the road from the contractor, Warner Brothers, LLC tomorrow.

Meetings: None scheduled at this time other than those already mentioned in this report.

### **Town Hall Exterior Decking and Railings**

For the side entrances of the Town Hall, the BOS selected brown for the deck material color with white posts, white fascia and bronze colored spindles.

### **Public Input**

None

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

If Police Chief McDonough and Joseph McCarthy are able to attend, the BOS will hold a public hearing on 8/24/2016 re: Ipswich Pharmaceutical's request that the BOS issue a letter of support or non-opposition to consider applying to the town to operate a registered marijuana dispensary (**Cultivation Only**). A notice will be sent to abutters, and published in the Berkshire Eagle.

Bev reported that a resident inquired if guests attending a party at her home located on Fred Snow Road are allowed to park their vehicles on her street. Bill and Ed advised Bev to confirm with the

Highway Superintendent that cars may park along Fred Snow Road as long as they do not hinder public safety vehicles such as police cruisers, fire trucks and ambulances.

### **Review Correspondence**

#### **ISO letter dated 07/05/2016 re: Building Code Effectiveness Grading Schedule Survey Results, Becket, and Berkshire County, MA**

Ed explained that the town was unfairly penalized because the Commonwealth of Massachusetts has not updated its Building Codes. The responses provided in the town's return survey to ISO reflected the state building codes and yielded diminished insurance ratings (less advantageous insurance rates) for new building in Becket. This was not in the town's control. If the code book is updated in the next year, it may be possible for the town to receive a higher rating.

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

- **Discussion and possible vote on litigation strategy with respect to the litigation re: Cooper vs. Town of Becket Land Sale if the Chair declares that an open meeting may have a detrimental effect on the litigation position of the Town**
- **Approval and possible release of Executive Session Minutes: 07/06/2016.**

Bill indicated that because there were no new developments relating to the above captioned litigation, it was not necessary for the BOS to hold executive session tonight.

### **Motion to adjourn**

Jeanne moved to adjourn. Nicole seconded. Motion carried unanimously. Bill adjourned the meeting at 10:02 p.m.

### **Reviewed Payroll/Expense Warrants.**

Respectfully submitted,  
Beverly Gilbert, Secretary

  
William Elovirta, Chairperson

### **Documents discussed at this meeting:**

Town Administrator's Report  
Elizabeth Will letter to advise of her retirement  
Travis Derby letter and Police Chief McDonough re: Mr. Derby's resignation  
Federated Church letter re: 2017 Calendar  
Departmental Reports - Highway (dated 7/7/2016), Police (June 2016) and Fire (June 2016)  
ISO letter dated 07/05/2016 re: Building Code Effectiveness Grading Schedule Survey Results  
Two Quitclaim deeds to transfer ownership of lots (Assessors Map 413, lot and Assessors Map 212, Lot 19) to Crystal Pond Homeowners Association  
Jeanne Pryor letter to Smitty Pignatelli dated 07/14/16  
Tom Rose/Virtual Towns and Schools email re: Town of Becket website  
Meredyth Babcock email dated 07/18/16 re: Becket Quarry  
Ken Smith email dated 07/18/16 re: Becket Quarry  
Becket broadband update & decisions for Board of Selectmen – 07/20/2016 (Jeremy Dunn)  
Becket Broadband Update – July 2016 (Jeanne Pryor)