

**Town of Becket  
Board of Selectmen's Meeting  
April 19, 2017  
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*

Others: Heather & Mike Spencer, Adam Perusse, Susan Dworkin, Sally Saluri,  
Ruth Rosenthal, Steven Rosenthal, Frank Avalue Jr., Bob Gross,  
Chris Lynch, Bob Scott, Tami Scott, & Jeremy Dunn

**1. Call to Order**

Bill called the meeting to order at 7:05 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.

**2. Pledge of Allegiance**

The Chairperson led those attending in the Pledge of Allegiance.

**3. Public Hearing on the application of Becket General Store, Inc. d/b/a Becket General Store for 1) a new Annual All Alcoholic Beverages On-Premises Restaurant license and 2) Alteration to the premises of the Annual All Alcoholic Beverages Package Goods Store license, both at the location of 3235 Main St., Becket, MA.**

At 7:07 p.m., Bill read the notice of Public Hearing on the above captioned application of the Becket General Store, Inc. Heather Anello, the owner of the Becket General Store, asked that the BOS grant the least restrictive hours on her licenses to allow for special events which may occur beyond her usual business hours.

Beverly indicated that the Town Administrator and she reviewed the application:

- All required documents were included
- The Tax Collector advised that property taxes are current for 3235 Main Street

Heather stated that in accordance with state law, there is a physical demarcation between the proposed package store and restaurant. The package store and restaurant have their own customer entrances. The staff-only access kitchen is between the garage (proposed location of the package store) and restaurant.

Bill asked if anyone had any questions or wished to comment. No one did.

Jeanne moved that the BOS approve the application of the General Store, Inc. for a new on-premises restaurant Annual All Alcoholic Beverages license and alteration to the premises of the annual All Alcoholic Beverages Package Good License at 3235 Main Street and further that, upon approval of the application by the Alcoholic Beverages Control Commission, such license shall be issued provided that the applicant submits to the Board copies of all other approved local permits or licenses required to operate the restaurant. Nicole seconded. Motion carried unanimously.

**4. Public Hearing on the application for a Change of Manager and Transfer of an Annual On-Premises All Alcoholic Restaurant for an establishment located at 71 Chester Road, Becket, MA 01223 from Loretta M. Murray d/b/a Uncle Larry's Tavern (Manager: Loretta M. Murray) to Papa Bob's, LLC (Proposed Manager: Robert Benns).**

At 7:15 p.m., Bill read the notice of public hearing on the above captioned re: Papa Bob's application. Tami and Robert Scott brought to the BOS's attention that the town's notice of public hearing listed the proposed manager as Robert Benns but their application listed the proposed manager as Robert Scott. The BOS apologized and rescheduled the public hearing for May 5, 2017 because it is required that the public hearing notice correctly name the proposed manager.

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

Beverly discussed meeting minutes with the BOS under "Other Business."

**6. Broadband recommendation from Ad Hoc Group - Discussion and Vote**

Due to the lack of sanitary facilities at the Town Hall, yesterday's BOS working meeting with the Broadband Ad Hoc Group for Charter Communication's Broadband presentation and discussion was cancelled and will be rescheduled. This agenda item was tabled.

**7. Sherwood Forest Road District Special Legislation**

Ed reported that Town Counsel gave an opinion advising that the BOS cannot modify the Sherwood Forest Road District's Petition to amend its Special Legislation but amendments may be proposed from the Annual Town Meeting floor.

Steve Rosenthal described and spoke in support of the SFRD's ATM petition for Special Legislation.

**8. Proposed Amendments to Article 17 Town Betterment Bylaws – Section 21.**

Bill moved that the BOS recommend the Annual Town Meeting Warrant Article to propose Amendments to Article 17 Town Betterment Bylaws – Section 21 (Open Container, Marijuana). Jeanne seconded. Motion carried unanimously.

**9. Update re: Temporary moratorium on the Sale and Distribution of Recreational Marijuana**

To allow for public hearings, the BOS tabled this item with the idea that it will be scheduled at a Special Town Meeting.

#### **10. BOS Chair to Report on Town Administrator's Performance Evaluation**

Bill summarized the Town Administrator's Performance Evaluation. He had met with Ed to discuss the evaluations and provide feedback. This year Ed's scores improved with an 86% approval rating from the department heads (ten participated), and 89.8% approval rating from the BOS. The BOS thanked Ed. Bill indicated that as outlined in Ed's employment contract, since he received a satisfactory performance review, he will receive a salary increase for FY18.

#### **11. Discussion re: Transfer Station Vehicle Permit Fee**

Ed indicated that the bag sticker, transfer station vehicle sticker, and bulky waste revenues cover approximately half of the town's Transfer Station costs. Bill moved that the town raise the fee for the Transfer Station permit (under 70 years old) from \$40 to \$50. Nicole seconded. Motion carried unanimously. Jeanne moved that the town keep the fee for the transfer station permit for seniors (over 70 years old) at \$20. The Selectmen agreed that future discussion re: transfer station revenue will include discussion of late fees.

Ed will talk to the Transfer Station employees to reinforce their responsibility to check vehicle and bag stickers.

#### **12. Town Beach Access Policy re: residents, non-residents, Town of Washington residents, seasonal renters, year-round renters, seasonal workers housed in Becket, Becket Lodging Establishment Guests (Hotels, Motels, B&Bs, Air B&B), Campgrounds Guests.**

The BOS tabled discussion. The BOS asked that the town beach access policy of other towns be researched. Jeanne stated that the Parks & Recreation Committee should participate in the discussion.

#### **13. BOS to consider approval of License Renewals:**

- **Common Victuallers - Six Depot Ltd d/b/a Six D358 George Carter Road**
- **Common Victuallers – Berkshire Culinary GB, Inc. d/b/a Haven at the Pillow**
- **Entertainment – Jacob's Pillow Dance Festival, Inc.**

Jeanne moved to renew the following licenses for businesses operating at 358 George Carter Road: 1) Common Victuallers - Six Depot Ltd d/b/a Six Depot 2) Common Victuallers – Berkshire Culinary GB, Inc. d/b/a Haven at the Pillow and 3) Entertainment – Jacob's Pillow Dance Festival, Inc. Nicole seconded. Motion carried unanimously.

#### **14. Monthly or Quarterly Reports: Highway Department and others tba**

The BOS reviewed the Highway Department's report.

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

Per Nicole's inquiry, Ed indicated that we have not received a reply to letters he sent to State Rep. Pignatelli and State Sen. Hinds to request that they ask Mass. DOT to explore the potential to create a car-only access to the Massachusetts 90 Turnpike in the Becket area. Jeanne stated that she will send a follow-up letter.

Jeanne discussed Town Counsel's opinions:

- 1) Because Town Counsel suggested that the BOS may not modify the SFRMD petitioned Warrant Article but a resident (individual) at the Town Meeting floor may propose amendments,

Jeanne stated that at the Annual Town Meeting, she will propose amendments to the petitioned warrant article submitted by the Sherwood Forest Road Maintenance District.

2) Town Counsel agrees with the Attorney General's interpretation that unlike Towns and Cities, the Attorney General's Office does not need to review and approve bylaws amended by districts created by Special Legislation. Jeanne stated that this is not fair to the taxpayers of the special districts. She thinks that prior to being adopted, the Attorney General's Office should examine the legality of bylaws amended by districts created by Special Legislation. She had contacted Smitty Pignatelli about this matter and his office responded that Special Legislation would be needed to enable the Attorney General's Office to validate district bylaws.

Bill indicated that it is anticipated that the new eye catching playscape at the Town Park should be ready in the next few weeks.

## **16. Fiscal Year 2018 Budget**

### **• Operating**

### **• Capital**

Ed provided and presented, discussed and fielded questions on the below listed documents:

- Town of Becket Financial Summary
- Capital Plan Five Year Report
- FY 18 Budget Detail

It was noted that the Animal Control Officer will be patrolling fewer hours than he has in past years. Jeanne moved to eliminate the COLA for the Animal Control Officer's FY 19 salary and that the BOS will review the ACO's responsibilities and salary for FY19. Nicole seconded. Motion carried unanimously.

At tomorrow night's joint BOS & Finance Committee meeting, the BOS will vote on its recommendations for Annual Town Meeting Warrant Articles relating to the FY18 Town Budget.

## **17. Town Administrator's Report**

Ed provided information/updates on the new Town Park Playscape, Bonny Rigg Hill Road Culvert replacement project, Town Hall Septic Repair, and an upcoming Finance Committee Reserve Transfer (\$1,000 for the Conservation Commission).

## **18. Public Input**

None

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

Jeanne moved to name Bill Elovirta as the signatory for Mass DOT chapter 90's ten-year contract. Nicole seconded. Motion carried with Bill recusing himself.

Ed provided recommendations for the Ambulance Department pay rates including Per Diem EMT Basic, Per Diem EMT Advanced, Per Diem Paramedic and Full-Time EMT Advanced. Jeanne moved to approve the new rates for the Ambulance Department employees, effective 4/9/2017, as recommended by the Town Administrator. Nicole seconded. Motion carried unanimously.

Beverly discussed her workload with the BOS and Town Administrator. They agreed she will routinely set-aside time to work solely on the meeting minutes.

Jeanne asked about the Route 20 Spring. Ed stated that because five out of twelve water tests this past year showed an increased level of bacteria, he anticipates that the Dept. of Environmental Protection will require the town to close the spring. Ed advised that an individual brought Housatonic Basin a water sample containing larvae that he contended came from the Route 20 Spring. However, the results were not replicated when Housatonic Basin collected its own sample later that day.

Ed reported that Health Agent Charlie Kaniecki will submit a request to place 676 Main Street, Becket into receivership with the state.

**20. Review Correspondence: tba**

There was no correspondence discussed at tonight's meeting.

**21. Board of Selectmen to adjourn the meeting.**

Nicole moved to adjourn. Bill seconded. Motion carried unanimously. At 10:27 p.m., Bill adjourned the meeting.

Reviewed Payroll/Expense Warrants.

Respectfully submitted,  
Beverly Gilbert, Secretary

---

William Elovirta, *Chairperson*

**Documents discussed at this meeting:**

Application of Becket General Store, Inc. d/b/a Becket General Store to the ABCC

Application of Papa Bob's, LLC to the ABCC

Proposed Amendments to Article 17 Town Betterment Bylaws – Section 21.

Chair's Summary re: Town Administrator's Performance Evaluation

License Renewal Applications:

Common Victuallers - Six Depot Ltd d/b/a Six D358 George Carter Road

Common Victuallers – Berkshire Culinary GB, Inc. d/b/a Haven at the Pillow

Entertainment – Jacob's Pillow Dance Festival, Inc.

Town of Becket Financial Summary

Capital Plan Five Year Report

FY 18 Budget Detail

FY 2017 Selectmen Amended Authorized Pay Rates (Ambulance Dept.)

Report of the Highway Department