

**Town of Becket  
Board of Selectmen's Meeting  
March 15, 2017  
7:00 p.m.  
Town Hall  
557 Main Street, Becket**

Attendees:

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

Staff: Ed Gibson, *Town Administrator*; Beverly Gilbert, *Recording Secretary*  
Kristopher McDonough, *Police Chief*, Matthew Virginia, *Police Officer*

Others: Michael Lavery, Heather Anello-Spencer, Mike Spencer, Steve Rosenthal

**1. Call to Order**

Bill called the meeting to order at 7:02 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. Board to review minutes of previous meeting(s)**

The BOS will review the 02/22/2017 and 03/01/2017 at the next meeting.

**4. Heather Anello to discuss her possible plans to relocate the Becket General Store's package store to the garage and to apply for an all alcoholic beverages on premises license.**

Heather Anello discussed her intentions to submit an application for an All Alcoholic Beverages Restaurant license at the Becket General Store located at 3235 Main Street. In August 2016, Governor Baker signed a law (Massachusetts General Laws Chapter 138 section H4569) allowing establishments to carry both a package store and a pouring license on the same premises with the stipulations that there is a physical delineation between the package store and restaurant, and there are separate invoices and package slips for each of the licenses. Heather would like to move the package store to the garage, and through a pouring license, would serve alcoholic beverages with meals at her restaurant.

Ed mentioned that the town received a letter from the State Lottery Commission regarding a new Keno game. Ed asked Heather if she knew if changing to a pouring license would impact her eligibility for Keno. Keno-to-go is now offered to those with package store licenses. Pouring licenses are already eligible for Keno. Heather indicated that as a non-pouring entity she is planning to apply to the state for Keno.

Ed indicated that in order for the BOS to issue a license for the alteration of the package store premises, Heather must obtain any required building permits.

**5. Continuation of Discussion re: Steve Rosenthal re: proposed amendments to expand voting rights to all proprietors of the Sherwood Forest Road Maintenance District**

Steve Rosenthal discussed the proposed amendments to expand voting rights to all proprietors of the Sherwood Forest Road Maintenance District. Steve indicated that today he had submitted a petition signed by 25 residents to the Town Clerk to request that the proposal appear on the ATM Warrant. Steve asked the BOS for its endorsement of this ATM Warrant Article. Jeanne's concern about the proposed amendments included:

- The SFRD meeting minutes do not contain a vote to include Section 21 (re: the Clerk/Treasurer), and Section 4E (re: the potential of reinstatement of Wells Road residents who had opted out). Jeanne suggested that the district should first approve these items at its meeting before submitting them for Town Approval. Steve stated that the reason the district feels it is acceptable to include those changes is that the road district approved article 11B which states that the Prudential Committee of the district may engage a lawyer with experience drafting legislation to prepare the amendments. Steve stated that it is practical to allow a Clerk/Treasurer position to reside outside the district. In the past, the district had elected Clerk/Treasurers within the district who did not meet the state's requirements, and lacked skills needed to fulfill the duties. Steve stated that the other section only applies to the Wells Road properties (If they had opted out and wish to vote, they will need to opt back in and then they will be assessed taxes for the road district.) Although he agrees with the lawyer's suggestion to add those items, Steve stated that those two sections do not substantially change the proposed amendments to the legislation.
- She does not agree with allowing one vote for each lot. Steve indicated that of 1,141 lots, 84% title holders own 1 lot.

Steve pointed out that if the road district collapses, the Board of Selectmen is required to run the road district until it is re-established.

Steve stated it is not possible for him to change the petitioned warrant article to eliminate Sections 21 and 4E. Steve stated that he supports the concept of removing those two items. He asked if the BOS would submit the same article with amendments to remove sections 21 and 4E. Ed indicated that he will confer with Town Counsel. Ed's understanding that the BOS may not amend the Article for the Annual Town Meeting Warrant, and any amendments would need to be presented on the town meeting floor.

Jeanne discussed the increase in the reduced cut-off date to register voters in the Road District from 10 to 30 days. The increased period may result in the district losing voters who recently were deeded property. Steve indicated that the road district will register voters who miss the cut-off date if they produce documentation from the Registry of Deeds denoting that a property transferred to them.

**6. BOS to vote on Appointment of Registrar of Voters: Michelle Smith**

Jeanne moved to re-appoint Michelle Smith as a Registrar of Voter effective 4/1/2017 through March 31, 2020. Bill seconded. Motion carried.

**7. Nomination of the Inspector of Animals**

The Board of Selectmen will discuss and vote on the Nomination of the Inspector of Animals at its March 23, 2017 meeting.

**8. Ambulance Director Recruitment Update**

Ed indicated that he and Bill interviewed three of the six individuals who applied for the Ambulance Director opening. Ed recommended the appointment of Raymond Ferrin. Mr. Ferrin worked on a per diem basis for the Becket Ambulance Dept. Additionally, he has supervisory experience, currently works for both County and Dalton Ambulance, and is a firefighter for the Dalton Dept. He teaches EMT courses. Bill and Ed received complimentary reference checks. Jeanne moved to accept the Town Administrator's recommendation to appoint Raymond Ferrin as the Ambulance Director effective March 30, 2017 through 6/30/2017 with the stipulation that Mr. Ferrin passes his pre-employment physical, drug and alcohol testing, and CORI/SORI check. Bill seconded. Motion carried unanimously.

**9. Clerk of Committees Recruitment Update**

Ed and the interview committee met with the three candidates. Of the three candidates, there was one part-time internal applicant. The two external candidates have different backgrounds and strengths. The interviewing committee requested additional information from one of the candidates which arrived today. Selecting the internal candidate would require that the town restructure the Clerk of Committees position. The internal candidate, if selected, would work for the Board of Health and continue as the Conservation Commission Agent; and the Town would need to hire a part-time clerk for the Zoning Board of Appeals and Planning Board.

**10. Planning Board request for comments re: Driveway Amendment**

The Board of Selectmen reviewed the Planning Board's proposed driveway amendment to the Town of Becket Zoning By-laws and will forward the below listed comments:

- Because there are many factors that the Highway Superintendent considers when issuing driveway permits, the Board of Selectmen believes it is in the best interest of the town and appropriate for the Highway Superintendent to continue analyzing each application for driveways on an individual basis.
- The Board of Selectmen asks that you consider the attached comments provided by the Highway Superintendent.
- To prevent damage to culverts, and large vehicles, driveway aprons should be at least 20 feet in width.
- It is not appropriate to tell people what to do on their property line.
- No. 14 of Section 4.2.11 should not be included because it conflicts with Section 17 of the Town's Betterment Bylaws.

- The bylaw may be potentially onerous for private roads and communities which are likely to lack staffing with road engineering backgrounds. The bylaw most especially should not apply to private roadways or sub-divisions. The BOS wonders if the Planning Board discussed this with road districts and/or private associations.
- The BOS is concerned that the restrictions would result in an increase in special permit applications, increase costs to applicants, and unnecessarily hamper new construction.
- Some of the restrictions are not realistic. For instance, although it is optimal for driveways to be constructed perpendicular to roadways to promote sight distance, sometimes this needs to be modified due to the slopes of embankments, soil composition, locations of culverts and other factors.
- No. 15 of section 14.2.11 is redundant.
- The amendment does not seem to comply with Section 1.1 of the Zoning Bylaws, "...to promote the general welfare of the Town of Becket, to protect the health and safety of its inhabitants..."

Based on the above mentioned comments, and because the Selectmen are confident with the Highway Superintendent's expertise, the Board of Selectmen does not support the Driveway Amendment to the Zoning Bylaws.

#### **11. Town Hall HVAC Study update**

Ed discussed edm's HVAC Replacement Study dated 02/16/2017, with special attention to three options:

- Option 3 - New High Efficiency Gas Fired Furnaces with Cooling Coil (Cost \$91,150). The BOS ruled out this option because it involves use of the attic space.
- Option 4 – New Gas Fired Make-up Air Units with Cooling Coil (Cost \$122,210)
- Option 5 – New High Efficiency Gas Fire Furnaces with Variable Refrigerant System Indoor Units. (Cost \$154,000) Each room would have a temperature control.

Ed will clarify questions with the engineer.

#### **12. Dept. of Environmental Protection's notification about Mullen House and Becket Arts Center's Water Supply**

The BOS noted the above listed letter dated March 7, 2017. Ed has contacted Housatonic Basin to produce a compliance plan as mandated by the Dept. of Environmental Protection. Bill moved to authorize the Town Administrator to sign the sanitary survey compliance plan response form (Table B). Jeanne seconded. Motion carried.

#### **13. Central Berkshire Regional School District re: delay of FY18 Final School budget (instead of March 9th, the final budget will be released on March 23rd) and possible corrective actions**

The Board of Selectmen noted the above letter. Ed indicated that he will need the school's final budget assessments to the town as part of generating the Town of Becket's FY18 budget.

#### **14. Central Berkshire Regional School District notification of upcoming elections throughout the 7 district towns on April 8th re: to approve funding for a Wahconah Feasibility Study**

The BOS noted receipt of the above letter.

**15. Division of Local Services (DLS) letter to Massachusetts Broadband Institute indicating that DLS has completed its review of Becket's Readiness Evaluation application and preapproved Section 3, and that the "greenlight letter" from bond counsel has been received.**

The BOS noted receipt of the above listed communication. This was discussed under the Town Administrator's report.

**16. BOS to sign the Warrant for the Annual Town Caucus**

Jeanne made a motion to sign the Warrant for the Annual Town Caucus for Saturday, 4/8/2017. Bill seconded. Motion carried.

**17. Monthly or Quarterly Reports: Building Inspector and others tba**

The BOS reviewed the report of the Building Inspector.

**18. Board of Selectmen's Comments and Announcements**

The BOS did not have any comments under this agenda item.

**19. Fiscal Year 2018 Budget**

Ed reports no changes to the operating budget since the last BOS's meeting. He awaits the school's portion of the town's budget. Ed discussed the Capital Plan with the BOS.

He reported that the property located at the corner of Fred Snow and Jacob's Ladder Road is not owned by the Kushi Institute. The taxes are up to date on this property.

**20. Town Administrator's Report**

Topics within the Town Administrator's report included the Police Dept. Cruiser, Broadband Update, Winter Storm Stella, Reserve Transfer for the Police Dept., Board of Health Member Request for Key to the Records Room (The BOS agreed to maintain the town's current policy.), Potential Property Acquisition (discussed under the Fiscal Year 2018 Budget), and upcoming meetings.

Tomorrow the Broadband Ad-Hoc Committee will meet to discuss if the best course of action is to stay with MBI or to contract an outside vendor such as Westfield Gas and Electric for the pole surveys and the design and engineering portion of the Broadband project. There will be a Selectmen's meeting on 3/23/2017 to discuss this further.

**21. Public Input**

There was no public input at tonight's meeting.

**22. Any other business to come before the Board**

The BOS discussed the Annual Town Report Cover.

The Board of Selectmen sent a letter to reply to the 02/28/2017 email from Purr McEwen and Chuck Garman to thank the town for emergency services provided during the Feb. 12<sup>th</sup> blizzard.

The BOS signed letters of appreciation to Jim Kupernik and Joe Mechare who will be retiring from the Becket Ambulance Department.

**23. Review Correspondence:**

- **02/24/2017 letter of appreciation from the Becket Highway Superintendent to the Otis Highway Superintendent for maintaining Lee Westfield Road for use as an additional route during the closure of Bonny Rigg Hill Road for the culvert replacement**
- **02/28/2017 email from Purr McEwen and Chuck Garman to thank the town for emergency services provided during the Feb. 12th blizzard.**

The BOS noted the above listed correspondence.

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

Jeanne moved to adjourn. Bill seconded. Motion carried. At 9:43 p.m., Bill adjourned the meeting.

Reviewed Payroll/Expense Warrants.

Respectfully submitted,  
Beverly Gilbert, Secretary

  
William Elovirta, *Chairperson*

**Documents discussed at this meeting:**

CBRSD Budget Public Hearing  
CBRSD re: Ballot re: funding Wahconah Feasibility Study  
Highway Dept. Thank you to Town of Otis  
DLS Becket Broadband Approval Letter  
Thank you note from Purr McEwen and Chuck Garman  
BOS response letter to Purr McEwen and Chuck Garman  
BOS letters of appreciation to James Kupernik and Joseph Mechare  
Warrant for Annual Town Caucus – 4/8/2017  
Sherwood Forest Road Maintenance District Documents:  
    Proposed Amendments to Legislation  
    Annual Meeting Minutes 06/06/2015  
    Article 11  
    By-Laws - Special Act Chapter r380 1982 Legislative Acts  
January Building Inspector Report  
Letter from Laurel Burgwardt  
Town Clerk email recommendation to appoint Michelle Smith to Registrar of Voters  
DEP letter dated 3/7/2017 re: Becket Arts Center Sanitary Survey  
Edm HVAC Replacement Study dated 2/16/2017  
Planning Board's notice of Public Hearing and request for comments on Proposed By-Law  
    Change (Dimensional Requirements) - Driveway  
Town Administrator's Report  
Capital Plan Five Year Report