

**Town of Becket  
Board of Selectmen's Meeting  
July 19, 2017  
7:00 p.m.  
Town Hall  
557 Main Street, Becket**

Attendees:

Board of Selectmen: William ("Bill") Elovirta, *Chair*; Nicole Ledoux, *Vice-Chair*  
Michael Lavery, *Clerk*

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

Others: Dan Parnell, Jeremy Dunn, Paul Merrill

**1. Call to order**

Bill called the meeting to order at 7 p.m. He noted that the BOS was recording tonight's meeting.

**2. Pledge of Allegiance**

Bill led the pledge of allegiance.

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

Nicole moved to approve the meeting minutes for 07/05/2017. Bill seconded. Motion carried unanimously.

**4. Letter from DEP re: Route 20 Spring Consent Order – Discussion and Possible Vote.**

Ed read a letter from the Board of Health to respond to DEP's letter dated June 19, 2017 re: the Route 20 Spring. On 7/12/2017, the BOH voted to request that the BOS make and advise the BOH of its decisions regarding Mass. DEP's Consent order. Ed reported that he has been in contact with DEP officials to develop a plan to close the Route 20 Spring. Due to that 7 out of 12 monthly samples extracted and tested from the Route 20 Spring showed positive results for coliform, DEP ordered that the town must either close the spring or install a disinfecting system. Ed indicated that the Route 20 Spring does not generate any revenue for the town and installation of a disinfecting system would involve not only equipment, engineering, and electrical hook-up costs but on-going electricity, equipment maintenance, testing/monitoring and management expenses. Moreover, although the town has been operating the spring, the town does not own the Route 20 Spring property. Nicole asked that the town announce the closing of the Route 20 Spring on the town's website. Michael moved to close the Route 20 Spring and allow the Chair to sign the DEP Administrative Consent Order letter. Bill seconded. During discussion of the motion, the BOS fielded Paul Merrill's questions. Paul Merrill expressed concern about the closing of the spring, and about notifying the public. The BOS will post signage. Bill explained that since it was not possible to identify the source of the contamination, the town must comply with DEP's Consent order. Motion carried unanimously.

**5. Intergovernmental Agreement with Westfield Gas and Electric for Broadband Design and Engineering and Construction: Discussion and Possible Vote.**

Ed's discussed potential revisions to the Intergovernmental Agreement with Westfield Gas and Electric for Broadband Design and Engineering and Construction:

- Page 10: List Berkshire County under the Heading Venue and Jurisdiction.
- Page 14: Add, “The Town shall be named as an additional insured under the liability and automobile insurance. The general liability insurance policy should contain a broad form of general liability endorsement.”

Nicole moved to verbally approve the Intergovernmental Agreement, including any minor changes recommended by Attorneys, with Westfield Gas and Electric for Broadband Design and Engineering and Construction. Michael seconded. Motion carried unanimously. Broadband Ad Hoc Members Jeremy Dunn and Dan Parnell indicated their support of this agreement. It was noted that Westfield Gas and Electric may not conduct its kick-off meeting (Bill and Ed will attend) for the Town of Becket scheduled on August 1<sup>st</sup> without an executed contract.

- 6. BOS to consider voting to re-appoint Zoning Board of Appeals Member Joy Lennartz**  
Bill moved to re-appoint Joy Lennartz to the Zoning Board of Appeals for a term beginning 7/1/2017, and expiring on 6/30/2020. Nicole seconded. Motion carried unanimously.

- 7. Town Administrator’s Appointment Recommendations: BOS to consider Voting Approval.**

The Town Administrator did not present any recommendations.

- 8. Zoning Board of Appeals notification of Public Hearing scheduled on 8/1/2017 re: dimensional special permit application for Maurice Henry Jr.’s property located at 3805 Jacob’s Ladder Road (Assessor’s Map 201, Lot 170)**

The BOS and Town Administrator discussed the aforementioned application. Beverly will send a letter to the ZBA specifying that the BOS has no concerns or comments relating to this application.

- 9. Requests from various Departments for employee’s to carryover vacation time.**

Bill moved to approve employee FY 2017 list of vacation carry over as presented. Nicole seconded. Motion carried unanimously.

- 10. Monthly or Quarterly Reports: Police Department, Highway Department & others tba**

The BOS reviewed the Police Department and Highway Department reports.

- 11. Board of Selectmen’s Comments and Announcements**

Michael noted that he is pleased that the resurfacing of the Route 8 roadway was complete and done well. He drives on Route 8 several times a day, and on one occasion, he was traveling the speed limit and as he was driving along a curve in the road, he saw a vehicle with flashers and an officer inside it coming toward him in his lane. He was able to stop in time. He told the officer that he did not see any signs (so that he could anticipate construction-like traffic) and she told him that there would be no signs or cones because it’s a moving operation. Bill indicated that he too encountered the same flashing vehicle as Michael had described. Bill stated that it is the foreman’s responsibility to maintain signs and cones throughout construction.

Nicole asked if the other members attended the Becket Washington Brouhaha. Michael attended and regarded the event (for a good cause) as successful. He stated that the vendors appeared to be happy and the weather held up overall. Bill did not attend because he attended Hubert (Issy) Salvini’s funeral. As stated in his obituary, “Mr. Salvini served on

the Board of Selectmen and as Town Moderator. He was a member of the Becket Fire Department for 30 years and served as the Chief for 25 years. He chaired the Becket Bicentennial Committee as well as the town's celebration of the national bicentennial in 1776."

Bill indicated that although there have been a few complaints, he has mostly received positive remarks about stationing a guard at the entrance to the Town Beach. Ed reported that Jacob's Pillow purchased a beach permit, and that Jim Huebner had advised that from now on the Town of Washington will only issue beach stickers at its Town Hall (not Transfer Station) in order to maintain a tighter listing of Washington residents purchasing them.

Bill received a phone call from Rita Furlong who reported an incident of vandalism occurring at the Quarry.

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

Ed's report included the following topics: repair to the Becket Arts Center (covered under the Town's insurance) building, additional reserve transfers approved by the Finance Committee, and notification about Charity Motorcycle Ride (One Call Away) which will occur on July 22<sup>nd</sup>.

#### **13. Public Input**

Paul Merrill is saddened about the impending closing of the Route 20 Spring, and is glad to hear about the broadband project.

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

Ed did not receive comments about Bill's draft beach sticker application for renters. Ed will design a permit.

Michael brought up the topic of P.I.L.O.T. program for the proposed Borrego Solar project. Borrego awaits Conservation Commission approval. Based on discussion with the Assistant Building Inspector, and Town Administrator, Borrego will research if the Tanglewood Circle development has an active covenant prohibiting telephone poles. It is anticipated that Borrego will likely discuss P.I.L.O.T. with the town after these matters are settled.

Bill asked if Jacobs Pillow has been submitting its P.I.L.O.T. to the town, and he suggested that, in light of the new buildings at Jacob's Pillow, inflation, and the town's emergency response services expended toward this establishment, he would like the town to review the agreement and negotiate a higher P.I.L.O.T. Ed will research this matter.

Bill advised that due to conflicts, Beverly and he are not able to attend the September 20<sup>th</sup> meeting. In September, the BOS will determine if it will meet on September 20<sup>th</sup>, reschedule or cancel that meeting.

#### **15. Review Correspondence**

- Commonwealth of Massachusetts, Dept. of Public Utilities, dated 06/23/2017, Second Notice of Filing and Public Hearings – Petition of NSTAR Electric Company and Western Massachusetts Electric Company, dba Eversource, for Approval of General Increases in Base Distribution Rates for Electric Service and a Performance Based Ratemaking Mechanism

- Gabrielle K. Murphy letter dated 6/26/2017 re: BC Mosquito Control Project spraying in Sherwood Greens Road District. Note: This letter was discussed on 7/5/2017
- Dept. of the Interior dated 06/26/2017 re: Payment in Lieu of Taxes Program - County is receiving \$286.

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

- **Discussion on Strategy with respect to litigation regarding Crosier 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.**
- **The Board of Selectmen will not reconvene in Open Session.**

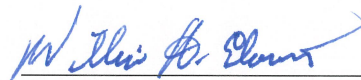
Michael moved that the BOS enter Executive Session Executive Session under MGL c. 30A, Section 21 (a) (3) for:

- Discussion on Strategy with respect to litigation regarding Crosier 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.
- The Board of Selectmen will not reconvene in Open Session.

Nicole seconded. Roll call Vote: William ("Bill") Elovirta - aye; Nicole Ledoux – aye, and Michael Lavery – aye. At 8:33 the BOS went into Executive Session. 8:33 p.m.

**Reviewed Payroll/Expense Warrants.**

Respectfully submitted,  
Beverly Gilbert, Secretary



William Elovirta, *Chairperson*

**Documents discussed at this meeting:**

- DEP 062917 re: Route 20 Spring Consent Order
- FY2017 Vacation Carryover Requests
- Highway Superintendent request for vacation carry over for Highway Dept.
- Police Dept. May and June 2017 Report.PDF
- Draft Intergovernmental Agreement Re WG E updated Intergovernmental Agreement
- Report of the Highway Dept. dated 063017
- WGE-and-BecketMLP-IGA-Template.v3updated07182017.docx
- ZBA appointment application Joy Lennartz
- ZBA notice of public hearing re application for dimensional special permit 3805 Jacob's Ladder Rd.
- Meeting minutes for 07/05/2017