

**Town of Becket
Board of Selectmen's Meeting
October 18, 2017
7:00 p.m.
Town Hall
557 Main Street, Becket**

Attendees:

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

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

Others: Peter L. Puciloski

1. Call to order

Bill called the meeting to order at 7:03 p.m. He noted that the BOS was recording tonight's meeting.

2. Pledge of Allegiance

Bill led the pledge of allegiance.

3. Borrego Solar Systems Inc. request for an adjustment to the Building Permit Fee for the solar project at 0 Tanglewood Circle

Attorney Peter Puciloski spoke to the BOS on behalf of Borrego Solar Systems, Inc. Ned Chaney, Senior Project Manager of Borrego Solar Systems, Inc. had submitted a letter dated 10/11/2017 to the BOS to request an adjustment to the Building Permit Fee for their proposed Solar Project at 0 Tanglewood Circle. The town's building inspection fee is 50 cents per square foot for commercial/industrial buildings. At 50 cents per square foot, the Becket building inspection fees would amount to \$166,781.50. Mr. Puciloski explained that the Building Inspector's inspectional time and work spent for a solar array is much smaller in scope than what a building inspector would expend for a commercial building which has significantly more in their materials and components than a solar array. In addition, the construction costs for commercial buildings are significantly higher than the construction costs for solar arrays. Mr. Puciloski provided a comparison of what the building permit fee would be in several other Western Massachusetts municipalities for Borrego Solar's project.

Ed indicated that he had discussed this matter with the Becket Building Inspector and the Building Inspector inquired with a few communities in the Berkshires who have permitted solar arrays as to what they have charged. Ed indicated that the Building Inspector confirmed that the amount of inspectional work is considerably less for solar array projects than for commercial buildings. Therefore, the building inspector and Ed would recommend that the BOS consider reducing the town's inspectional fees to 30 cents per square foot for Borrego Solar Systems Inc.'s project located at 0 Tanglewood Circle. Michael indicated that he talked to the Building Inspector and the rate of 30 cents per square foot sounds fair and is within what Borrego Solar is comfortable offering. Ed indicated that the P.I.L.O.T. is being negotiated. Michael moved that the BOS adjust the building fees from 50 cents per square foot to 30 cents per square foot for the Borrego Solar Systems Inc.'s solar array installation project proposed for 0 Tanglewood Circle. Bill seconded. Motion carried unanimously.

4. BOS review and possible vote re: Police Chief's recommendation to fill the vacancy for the Constable Official until the next Town Election

The BOS received a letter from the Police Chief with a recommendation to fill the vacancy for the Constable Official until the next Town Election. Bill indicated that there may have been a misunderstanding. Because he thinks it is useful for a person with a police enforcement background to serve as a Constable, the Police Chief had been asked to inquire within his staff if anyone was interested in applying for the unexpired term of the Constable position. Bill clarified that this appointment is not something that the Chief of Police would recommend to the Board of Selectmen. Ed Gibson will ask the individual officer to submit a letter of interest to the Board of Selectmen. The BOS took no action on this agenda item.

The BOS will consider adding an article on a town meeting warrant to stagger the election terms of the Town Constables. Constables may not work the election poles when they are on the ballot and it would be helpful if both are not precluded from working the poles during the same elections.

5. Marijuana Moratorium (Recreational & Medical) Update

Michael reported that he attended the Planning Board's Oct. 11th meeting at which the Planning Board agreed to schedule a public hearing to occur at 7 p.m. on November 29, 2017 in the Community Room of the Town Hall on a petition of the Board of Selectmen to consider amending the Town of Becket Zoning By-Laws by adding new sections for Marijuana Moratoriums (Recreational & Medical establishments).

6. BOS review and possible vote re: Highway Superintendent's recommendation for Winter 2017/2018 Road Closures

Michael moved to accept the Highway Superintendent's recommendation for Winter 2017/2018 Roads as listed in the letter submitted to the Board of Selectmen:

1. Bonny Rigg Hill Rd. from house # 982 to Otis Town line.
2. Corey Rd. from Captain Whitney to end.
3. George Carter Rd. from house # 1304 to Jacobs Ladder Rd. (Rte. 20).
4. Johnson Rd. from house # 733 to Otis Town line.
5. Plumb Rd. from house # 677 to house number # 398 (middle narrow section)
6. Tyne Rd. from house # 679 to Fred Snow Rd.
7. Tyringham Rd from house # 358 to Tyringham Town line.

Signs will be put up at points of closure to alert drivers of no maintenance beyond that point.

No maintenance will be provided from 11/17/2017 to 05/04/2018

Bill seconded. During discussion it was agreed that Ed will inquire with the Highway Superintendent about Johnson Road (Will this include the turnaround on the road?) and Tyringham Road (If the owner wishes, Bill would like to see this road plowed to allow him to use his cabin for hunting purposes through the deer hunting season). Motion carried unanimously.

7. Town of Otis Request to Share a Kennel

Ed reported on his meeting with a Selectman from the Town of Otis at the Town of Becket kennel. Ed indicated that the Becket Animal Control Officer and the Otis Animal Control Officer have a working relationship (they provide coverage for each other), so the Otis Animal Control Officer is familiar with the Becket kennel and is in favor of sharing a kennel. The Town of Otis does not have its own kennel. The Otis Selectman asked Ed to specify the fees Otis should contribute to the Town of Becket for sharing the kennel. Bill recommended finding out how much Otis charges for housing dogs. Once this is known,

the town may suggest asking the Town of Otis to pay a fee to Becket based on a percentage of Otis' fees. The idea of entering an agreement which includes sharing capital costs was discussed. Bill moved to approve Otis's request to share a kennel with mutually agreed upon negotiations to occur in the future. Michael seconded. Motion carried unanimously.

8. BOS to consider and possible vote to sign deeds of surplus property (2 parcels) purchased via bid to Sherwood Forest Lake District

Ed explained that the town had awarded the bid for surplus property (2 parcels) to Sherwood Forest Lake District ("SFLD"). SFLD wanted to acquire these parcels since they are integral to the repair and restoration of the Lancelot Lake dam. Ed advised that the deeds that Attorney Katy Klein of K-P Law had prepared are ready for signature. Ed had received a check from SFLD for the parcels in the amount of \$2,500. Ed indicated that one of the parcels was donated to the town and other was acquired by tax title: both properties are not of use to the town. On one of the parcels, SFLD has agreed to demolish a dilapidated house, and decommission the property's well and septic. Bill moved that the BOS sign the deeds for the two parcels in order to convey them to the Sherwood Forest Lake District. Michael seconded. Motion carried. Michael and Bill signed the deeds in front of Town Clerk George Roberts who notarized their signatures.

9. Broadband Update

The BOS discussed an email Ed received from Charter Communications dated 10/5/2017 announcing a new development it will offer to Becket and other unserved towns. Bill indicated that Peter Larkin of Massachusetts Broadband Institute had telephoned him with the same information. Charter will construct an all-fiber to the home build in all the new towns. Originally Charter's proposal (which the Town of Becket declined) offered a hybrid fiber coax system build. Michael indicated that if this had been on the table earlier, he may have wanted the town to consider Charter Communication: however, at this point, since the broadband project has already kicked-off and is off and running (Westfield Gas Electric/Whip City Fiber is in the middle of the Pole Surveys/data collection/quality control work portion of the project), he would not want the town to lose momentum and experience significant delays. Ed indicated that the town had received a sizeable portion of the grant money (\$860,000). Although it is not anticipated due to the diligence and legwork of the town's Broadband Ad Hoc Committee, the BOS acknowledged that until the pole survey is complete, there is a risk that the estimate provided by the State (MBI) for the broadband project's make ready work may not have factored in the need for a significant number of additional utility poles or work relating to the utility poles. Per Ed's suggestion, Bill and Michael agreed that Ed will thank Charter for their notification and convey that we are happy with the agreement we have chosen with Westfield Gas & Electric and if something changes we may contact Charter Communications.

10. Monthly Reports: Animal Control Officer (September 2017)

The BOS reviewed the Animal Control Officer's September 2017 report.

11. Board of Selectmen's Comments and Announcements

Michael distributed a document entitled, "BOS Policies and Procedures" that was located recently when the By-law Review Committee requested all the policies in the course of their review of the Town Policy Manual. He specified that he does not know when or if this BOS Policies and Procedures document was approved and accepted by the Board. He stated that he would like the BOS to consider reviewing and discussing this document at a future meeting. Michael will research past BOS minutes to try to ascertain whether the BOS

approved or discussed this document. Ed indicated that the Town By-laws include some of the clauses listed in the BOS Policies and Procedures document.

Michael inquired about what is happening with Proposed Amendments to Article 17 Town Betterment Bylaws SECTION 21. relating to the public consumption of alcohol and marijuana. The BOS had asked the Bylaw Review Committee to analyze this possible amendment. Ed will find out the status.

12. Town Administrator's Report

Bonny Rigg Hill Road Culvert: Yesterday Warner Brothers applied the final coat of paving to the area over the Bonny Rigg Hill Culvert which was just replaced, and performed some additional paving by the intersection of Quarry Road and Bonny Rigg Hill Road.

Free Cash Certification: The Mass. Dept. of Revenue, Division of Local Services has certified our Free Cash as of July 1, 2017 as a negative \$252,965.00. This is mainly due to the reimbursement of the federal funds for the Bonny Rigg Hill Road Culvert project not being received by the town by September 30, 2017. Another contributing factor was not being able to borrow the funds for the Town Hall Roof Project until after June 30th. Since we did not receive the final invoice for the roof and gutter work until the end of June it made the borrowing of the funds impractical until after June 30th. Our DLS Representative Jim Podalak called Ed today to advise that once we received the federal reimbursement, the DOR could take another look at our Free Cash Calculation certification, but there is no guarantee that it will be changed. We understand that our reimbursement of \$399,488 is scheduled to post on October 31st.

They have also certified that the Retained Earnings in the Ambulance Enterprise Account is \$33,925 as of July 1, 2017.

Fire Rescue Pumper Bid: The invitation for Bid (IFB) for the replacement 2017 or Newer Fire Apparatus Rescue Pumper #6 has been advertised and is available to interested vendors. The Bid is due at 4 p.m. on November 15th and will be opened at the BOS's meeting that evening at 7:05 p.m.

Winter Road Materials Request for Quotes: The Request for Quotes for Winter Road Materials for the Highway Dept. such as crushed stone, sand, and bivi chips is available to interested vendors. The process for the quotes will close Friday, October 27th at 3 p.m.

Town Secretary: Beverly Gilbert our Town Secretary attended the Open Meeting Law Seminar which was put on by the State and held in Great Barrington last night. Beverly has stated that this seminar was very educational, that she had learned some things that she was not previously aware of and that the Seminar was quite thorough and was over two hours long. Beverly indicated that Jessica Perotti our Clerk of Committees also attended this Seminar.

Appointment Applications: We have received an appointment application from someone who resides in Hinsdale for one of our Conservation Commission vacancies. Ed inquired if the BOS would like to consider applications for Committee's from individuals who reside outside the Town of Becket. Bill and Michael indicated that their preference is to appoint Becket residents to the Conservation Commission. Michael asked if the BOS received other applications to serve on the Conservation Commission. Bev and Ed indicated that no

other applications has been received. The BOS hopes to receive applications from Becket residents and in the meantime does not wish to take action on the application received from the Hinsdale resident.

Today we received an application from Maria Wallington who is interested in being appointed to the Bylaw Review Committee. Maria is an elected member of the Becket Finance Committee. Her application will be brought forward at the next Board of Selectmen's meeting for consideration.

MIIA Safety Grants: Chris Bouchard and Ed are working with our MIIA Claims Manager for the application of two possible MIIA Safety Grants: one for Flammable Liquid Storage Cabinets (this is one of two requests we had applied for last year but this one was not funded) for the two Fire Stations and the Highway Garage, and the second one is for a Radar Trailer to be used for work zone safety applications such as best time (lowest traffic counts) to work in certain road areas or as a notification of speed as someone approaches a work zone area. We will apply for these grants in the next two weeks and will have to list our prioritization for our request.

Meetings: Ed will begin our regularly scheduled Monthly Broadband update call with Bill Ennen tomorrow morning. Ed will also attend the Quarterly Emergency Management Meeting at MEMA Region 3 and 4 headquarters in Agawam during the morning of October 26th.

13. Public Input

None

14. Any other business to come before the Board

None

15. BOS to Sign Warrants

The BOS reviewed and signed the payable warrants.

16. Review Correspondence:

- **Becket Town Administrator's letter dated 09/28/2017 to Archbishop Williams High School Principal re: Edward & Samuel Rossini's Volunteer Hours at Center Pond Beach**
- **Attorney General's letter dated 10/4/2017 to Town Clerk re: Becket Annual Town Meeting of May 13, 2017 – Case #8553, Warrant Article #27 (General) Decision to approve and comments**
- **Southern Road & Bridge letter dated 10/12/2017 re; MassDOT contract to clean & paint along I-90 Towns of Becket, Lee Otis & Stockbridge**

The BOS reviewed the above mentioned letters. The BOS discussed the volunteer efforts of the Rossini family. Ed indicated that this is the second year that high school students Edward and Samuel helped with the Town Beach. Their father Ed Rossini has prepared the float placement at the Town Beach for years and he has brought his sons aboard to assist with this project. All three are divers who anchor the float to the bottom of the lake. The BOS indicated that the town is fortunate that the Rossinis possess and are willing to donate their diving abilities and skills on behalf of the town.

17. Board of Selectmen to adjourn the meeting

Michael moved to adjourn. Bill seconded. Motion carried unanimously. At 8:23 p.m., Bill adjourned the meeting.

Respectfully submitted,
Beverly Gilbert, Secretary



William Elovirta, *Chairperson*

Documents discussed at this meeting:

- ACO Sept. 2017 report
- Borrego Solar Request to reduce Building Permit Fees.PDF
- Broadband Update - Charter Communications.PDF
- Free Cash Certification Approval Notification
- Attorney General's Decision Becket Case # 8553.msg
- Highway Superintendent's recommendations for Winter Road Closings
- Town Administrator's letter to Principal re Edward & Samuel Rossini's volunteer hours
- Police Chief's recommendation for Constable appointment
- Southern Road & Bridge re MassDOT contract to perform work on Mass 90
- Quitclaim Deeds for surplus property (2 parcels) purchased via bid to Sherwood Forest Lake District - Deed for Lot 16, Block 15 and Deed for Lot 17, Block 15