

**Town of Becket
Board of Selectmen's Meeting
November 15, 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: Justin Elovirta, *Becket Firefighter*; Mark Hanford, *Becket Fire Chief*
Dave Bunnell, *New England Fire Equipment*; Bruce Garlow

1. Call to order

Bill called the meeting to order at 7:02 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 for the November 1, 2017 meeting

Michael moved to approve the minutes for the November 1, 2017 meeting. Nicole seconded. Motion carried unanimously.

4. 7:05 p.m. - Opening & Possible Award of bids (Invitation for Bids #18-003) for 2017 or Newer Fire Apparatus Rescue Mini-Pumper

At 7:05 p.m. Bill announced the Opening & Possible Award of the 2017 or Newer Fire Apparatus Rescue Mini-Pumper bids. Ed Gibson, Town Administrator/Chief Procurement Officer, indicated that the Town received three bids for the 2017 or newer Fire Apparatus Rescue Mini-Pumper:

Dependable Truck & Tank Limited, Brampton, ON L6W 3R3, Canada

Base Bid Price 2017 or Newer Fire Apparatus Rescue- Mini Pumper \$224,757.00

Add alt 1: Mounting Allowance \$5,000.00

Add alternate 2: 2 1/2" Discharge Pump CompPanel, Right Side \$2,100.00

Add alternate 3: Inverter \$530.00

Add Alternate 4: 2-12" Auxiliary Pump Intake(s) Right Side \$2,100.00

Add Alternate 5: Winch 10,000 LB \$1,700.00

In order to not tie up the meeting looking for the bond deposit, and certificate of insurance which were not in obvious locations within the bid package, Ed indicated that after the meeting, he would comb the bid package for those items, and he stated that he saw all other required documents. Ed will report back to the BOS.

Minuteman Fire & Rescue Apparatus, Inc. -Walpole, MA

Base Bid Price 2017 or Newer Fire Apparatus Rescue- Mini Pumper \$261,893.00

Add alt 1: Mounting Allowance \$5,000.00
Add alternate 2: 2 1/2" Discharge Pump CompPanel, Right Side \$3,100.00
Add alternate 3: Inverter \$3,000.00
Add Alternate 4: 2-12" Auxiliary Pump Intake(s) Right Side \$1,265.00
Add Alternate 5: Winch 10,000 LB \$2,000.00
All required documents were submitted

New England Fire Equipment & Apparatus, North Haven, CT

Base Bid Price 2017 or Newer Fire Apparatus Rescue- Mini Pumper \$249,944.00
Add alt 1: Mounting Allowance \$5,000.00
Add alternate 2: 2 1/2" Discharge Pump CompPanel, Right Side \$0.00
Add alternate 3: Inverter \$2,200.00
Add Alternate 4: 2-12" Auxiliary Pump Intake(s) Right Side \$1,690.00
Add Alternate 5: Winch 10,000 LB \$945.00
All required documents were submitted

Ed advised that the May 2016 Annual Town Meeting authorized \$225,000.00 borrowing to purchase a Fire Rescue Mini-pumper, and Dependable's bid is the only one within this budget. The BOS will take this matter under advisement.

5. BOS to review and possible vote on draft Town Beach Permit Policy

The BOS discussed the draft beach Permit Policy which had been sent to the Parks & Recreation Committee, and Tax Collectors for their review. Assistant Tax Collector Nina Weiler sent an email specifying two concerns:

- 1) "Should we have each permit expire on 12/31 of each year instead of Labor Day (it would be clearer on the permit sticker)?"
- 2) "If we allow each property owner to have two permits per parcel then an owner who owns multiple parcels could designate two for each parcel that they own. There are some people who own 20 plus parcels. Should we go by households? Should there be a form for property owners to fill out for their designees?"

Ed commented that Labor Day Monday was originally listed as the expiration date to coincide with the end of the town's enforcement period. After Labor Day weekend when the town does not face overcrowding at the beach, parking lot guards will not be stationed at the beach entrance, and the Police Department will not be asked to issue parking tickets there.

The BOS agreed with Nicole's suggested wording change (denoted in bold) in Item 4 of Town of Washington's section: The Town of Washington is not permitted to **give-out distribute** the permit to non-Washington residents.

Michael moved to modify the draft policy as follows:

- Rather than issue permits to parcels, the town will issue up to two permits for each household.
- The permits will expire each year on December 31st.

Nicole seconded. Motion carried unanimously.

Ed will incorporate the modifications and agreed upon change into the policy which will be reviewed and possibly voted on for adoption at the next BOS meeting. The BOS will also agree on

the notification of this new policy that will accompany the December property tax mailing.

6. BOS review draft Becket Board of Selectmen Policies and Procedures

Michael provided a draft Becket Board of Selectmen Policies and Procedures for possible discussion at the next meeting.

7. BOS to review and possible vote on its recommendations for changes to the Bylaw Review Committee Proposed Amendments to Article 17 Section 21. For BOS Comments

The Board discussed recommendations for changes to the Bylaw Review Committee's Proposed Amendments to Article 17 Section 21 with ex officio member of the Bylaw Review Committee Bruce Garlow.

Bruce stated that he had noticed that one of the drafts had changed Board of Selectmen to Select Board and another person (Town Administrator's draft) had changed it back to Board of Selectmen and this would have been one of his recommendations as well. Bruce conveyed that one of the long-term goals of the Bylaw Committee is to recommend that the Town weigh-in on the language of the Board of Selectmen's title in order for the title to conform to what the town wishes to address what is now known as the Board of Selectmen. He advised that changing the name of Board of Selectmen (perhaps to Select Board, Selectors, etc.) would require a Town Meeting vote. Ed indicated that this change requires an act of legislation. Bruce stated that until the title is changed, the Bylaw Review Committee suggests that in order to be consistent, that the term Board of Selectmen should be used in documents when referring to the Board of Selectmen.

Salient point of discussion include the following:

Bruce acknowledged that the changes submitted by the BOS reflected that they had trouble with the idea of the public drinking on sidewalks and roads. He indicated that George Roberts who is an ex officio member of the Bylaw Review Committee had pointed out that drinking in your yard and walking to your neighbor's home would conflict with the bylaw. Bill stated that removing this portion of the bylaw would allow people to walk around more thickly settled portions of the town with open containers and marijuana. The Board of Selectmen held firm that they want the bylaw to state that drinking and using marijuana is not allowed to occur on sidewalks and roads.

When discussing the second paragraph of the bylaw, Bruce stated that the Bylaw Review Committee wanted to simplify the language and make the penalties less severe. They are pleased that the BOS agreed to do away with "arrest" and they continue to recommend removing, "A police officer may cite any person who commits a violation of this bylaw in his presence and may seize the alcoholic beverages, marijuana or tetrahydrocannabinol, which shall be kept by him and destroyed upon adjudication or returned to the person entitled to lawful possession." Bruce stated that he thinks the penalty (\$50) should suffice and that a seizure of the products is too extreme. Bill stated that he would still like a police officer to be able to cite violators. Ed indicated that he thinks and he will check with Town Counsel, that police officers may still cite people even if the sentence ("A police officer may cite any person who commits a violation of this bylaw in his presence and may seize the alcoholic beverages, marijuana or tetrahydrocannabinol, which shall be kept by him and destroyed upon adjudication or returned to the person entitled to lawful possession.") is removed. Ed will report back to the BOS after he receives Town Counsel's opinion.

The BOS and Bruce discussed the possibility of scheduling a joint BOS and Bylaw Review Committee meeting to discuss this bylaw.

8. Monthly Reports: Animal Control Officer (October 2017), Ambulance Department (October 2017), Building Inspector (October 2017)

The BOS reviewed the Animal Control Officer, Ambulance Department and Building Inspector's October 2017 reports. Ed highlighted that the Building Inspector's Report listed building permitting fees collected in the amount of \$100,068.00 for the construction of a solar electric facility at Tanglewood Circle.

9. Board of Selectmen's Comments and Announcements

Michael reported that he, along with Planning Board members Bob Ronzio and Al Blake, attended Chester's public hearing for the public consumption of marijuana. Michael also had attended Chester's public hearing re: enacting a marijuana moratorium. He noted that he did not witness or hear about opposition to what was proposed at these public hearings.

Nicole asked if there is funding to attend the Massachusetts Municipal Annual Meeting. Ed advised that the remaining balance in the Selectmen's Expense budget, although tight, would be sufficient for Michael and Nicole to attend this meeting. Beverly will register Nicole. Michael will let Beverly know if he wishes to attend.

10. Town Administrator's Report

Ed provided a copy of the Conservation Agent's letter of resignation to the BOS. Mallory Larcom will reduce her working hours as of November 26th and as a courtesy she will hold public office hours until December 1st. Ed has started the recruitment to fill this impending vacancy.

Free Cash Certification: We have received the \$399,448 FEMA reimbursement due to the Town for the Bonny Rigg Hill Road Culvert Replacement. Based on this, the DOR, as of July 1, 2017, calculated the town's Free Cash at \$146,523.00. Ed reminded the BOS that the Ambulance Dept. Enterprise Fund Retained Earnings were Certified at \$33,925.00.

Mass. Dep. DEP Route 20 Spring Consent Order: Ed is coordinating a plumbing contractor and a concrete contractor to perform the required work to the Route 20 Becket Spring by November 30th to meet DEP's required closing of the Spring which is based on repeated occurrence of coliform appearing in the monthly water tests.

Fire Station 1 Energy Improvement Window and Door Project: Ed signed the Proposal for the Energy Improvement Project to replace the windows at Fire Station 1. Ed expects to receive a confirmation of the work schedule in the next week.

Town Facilities: The floodlight and timer were added to the Town Hall Pavilion today and the two small spotlights over the new Dewey portraits were also installed today. The broken glass top protecting the pictures on one of the tables in the Becket Room was replaced today. The stove in the downstairs community kitchen is broken and is not functioning again (it has been repaired several times). The BOS agreed with Ed's suggestion to replace the broken stove (possibly with a discounted floor model) and because the town often allows groups other than the Council on Aging to use the Community Room and the kitchen, it would be a good idea to buy the stove through Town Municipal funding rather than Council on Aging funding.

Town Mechanic Performance Evaluation: Nathan Morawiec, Town Mechanic has completed his final performance evaluation. The BOS signed a change of pay rate form to become effective Nov. 12th since the next payroll processing will be done on November 20th. This item will appear on the 12/6 agenda.

Town Administrator Position: Ed has tentatively accepted the Town Administrator position in Southampton on the condition that Southampton and he are able to negotiate a contract. Ed stated that he will miss working with everyone here as it has been a great atmosphere and a wonderful team environment to work with all his co-workers. Ed indicated that he had met with Bill to discuss the transition. Ed suggested that the Selectmen may consider creating a Town Administrator search Committee who would recruit candidates, and present a smaller number of applicants (perhaps five to seven) for the Board of Selectmen to interview.

Meetings: Ed will attend the Berkshire Regional School District Seven Town Advisory Meeting tomorrow night at Wahconah Regional High School at 5 pm. Ed has an every other week update call with Westfield Gas & Electric on the Broadband Project on Friday morning and he will meet with the Energy Committee on November 21st at 3:30 p.m. Ed will attend the Conservation Commission on November 21st since the Notice of Intent for the Becket Beach Improvements is on their agenda.

11. Public Input

None

12. Any other business to come before the Board

The BOS viewed a slide show of Ed's pictures of children playing on the new play scape at the Town Park on October 4th. The BOS selected photographs for the 2017 Annual Town Report.

Per Michael's suggestion, Ed will see if Dept. of Energy Resources Green Communities Division's Western Regional Coordinator Jim Barry is available to attend one of the Selectmen's December meetings to present the Green Energy Award to the Town.

13. BOS to review and sign Warrants

The BOS reviewed and signed payable warrants.

Review Correspondence:

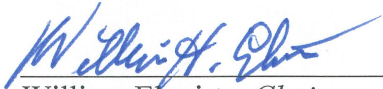
❖ **10-27-2017 Alcoholic Beverages Control Commission Notice of Hearing that is scheduled on 1-9-2018 to determine if KMS INC. DBA Becket Country Store violated Mass. General Laws relating to the sale of an alcoholic beverage to a person under twenty-one years of age on 8-24-2017 (Compliance Check).**

The BOS acknowledged receipt of the above letter.

14. Board of Selectmen to adjourn the meeting

Michael moved to adjourn. Nicole seconded. Motion carried unanimously. At 9:02 p.m., Bill adjourned the meeting.

Respectfully submitted,
Beverly Gilbert, Secretary


William Elovirta, Chairperson

Documents discussed at this meeting:

- 10/27/2017 ABCC Notice of Hearing KMS INC. DBA Becket Country Store
- Becket Ambulance Dept. Monthly Report - October 2017
- draft Policy BOS Beach Permitting policy 11/07/2017
- Legal Ad for Fire Apparatus Rescue Mini-Pumper
- Animal Control Officer Monthly Report - October 2017
- Building Insp Report Monthly - October 2017
- Proposed amendments to Betterment Bylaw Article 17 Section 21
- RE changes to the draft Beach Permit Policy
- Town Administrator's Report
- Bid Documents for the three companies noted above.