

**Town of Becket
Board of Selectmen's Meeting
January 3, 2018
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, *Administrative Assistant*

Others: Robert Markel, Gale LaBelle (Member of the Planning Board and Chairperson of the Board of Health), Bob Gross (Member of the Broadband Ad Hoc Group), Jeremy Dunn (Member of the Broadband Ad Hoc Group), Al Blake (Member of the Planning Board), Chris Lynch (Matrix Design Group)

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 for the 12/18/2017 Working Meeting and the 12/20/2017 Regular Session meeting.

Nicole moved to approve the minutes for the 12/18/2017 Working Meeting and the 12/20/2017 Regular Session meeting. Michael seconded. Motion carried unanimously.

4. Planning Board Member Gale Labelle re: Berkshire Regional Planning Commission District Local Technical Assistance (DLTA) grant application

Gale recommended that the BOS consider signing the Berkshire Regional Planning Commission District Local Technical Assistance grant application that had been prepared by the Planning Board. She explained that this grant does not require matching funds from the town. She indicated that the type of assistance requested falls under the designated priority area of Planning Ahead for Growth, and specifically, the Planning Board seeks assistance in: 1) the development of a comprehensive Zoning bylaw for the regulation of permitted, licensed marijuana establishments, and 2) rewriting its solar bylaw entitled Large-Scale Ground-Mounted Solar Photovoltaic Installations. Al stated that BRPC assisted the Town of Clarksburg with these bylaws.

Bill inquired as to why the Planning Board voted to oppose the marijuana moratoria. He indicated that the proposed moratoria would end December 31, 2018 or sooner if the town adopted a bylaw. Gale replied that the Planning Board anticipates that the state will adopt new regulations at the end of March of 2018, and the Planning Board will develop a bylaw during the spring of 2018 to present at the Annual Town Meeting. Bill questioned if it would be realistic to create a bylaw if the state's marijuana regulations are not known at this time and posed the possible scenario where the state is delayed and not able to produce and present the new regulations by the end of March. He stated that he does not see any disadvantage for having the moratoria. He is concerned about businesses applying without the town having bylaws (regulations) in place for marijuana. During this discussion Ed indicated that that towns may not restrict marijuana licenses to less

than 20 percent of the town's liquor licenses (in Becket the least possible number of marijuana licenses would be for one business), and may only do so if the town votes to restrict the licenses. However, unless the town votes to do so, it may not restrict the number of licenses for marijuana related businesses. Al indicated that the Planning Board did not see a purpose for supporting the proposed marijuana moratoria.

Nicole moved to approve the Planning Board's request to apply for the Berkshire Regional Planning Commission District Local Technical Assistance grant application. Michael seconded. Motion carried unanimously.

In accordance with the Board of Health's recommendation, Bill moved to approve the Agreement of Provision of Nursing Services by the Lee Regional Visiting Nurse Assn., Inc. d/b/a Porchlight VNA to the Board of Health of the Town of Becket for the period July 1, 2018 through June 30, 2019 (cost of \$5,110.09 for the year, with an additional fee for active Tuberculosis Disease Management at \$125 per hour). Nicole seconded. Motion carried unanimously.

Per Gale's inquiry, Ed and the BOS directed the Board of Health to pay the annual \$50 Public Water Supply licensing fee for the Route 20 Spring to the Commonwealth since the spring will not be officially regarded as closed until it is decommissioned in the springtime.

5. Broadband/MLP Update and Discussion

Jeremy, member of the Broadband Ad Hoc Group, provided a Broadband Update. He advised that Westfield Gas & Electric is approximately a week or two away from sending the town our initial planning package that includes a map showing all of the poles and houses. Once this is received, the Broadband Ad Hoc Group will enter a phase of discussion with Westfield Gas & Electric to validate the information on the map. Bob Gross has collected information from other towns that have completed this phase. The other towns have advised that this phase is time consuming.

Jeremy indicated that part of the process of designing the town's broadband system involves determining how much additional fiber should be laid to allow for growth. Bob Gross, Dan Parnell, and Jeanne Pryor have spent a significant amount of time identifying parcels likely to be developed. The Broadband Ad Hoc Group has used Google Earth with Assessors and Wetland overlays to detect parcels that are not buildable (wetlands/Title 5 etc.). When the review of the town's parcels is complete, the Broadband Ad Hoc group will use that information to provide recommendations to the BOS.

Jeremy indicated that the town's MLP (Ed Gibson) is leaving, Jeanne Pryor is no longer able to participate in this group and John Les's availability is more limited due to his new employment. The Broadband Ad Hoc Group is eager for the BOS to appoint an MLP Manager. Jeremy recommended that at least for the short-term, due to the time commitment required for the MLP duties, that the BOS appoint an individual other than the Interim Town Administrator. The Broadband Ad Hoc Group would welcome for the MLP to "hire" additional volunteers to assist the group. Bob Gross conveyed his willingness to serve as the town's MLP. He indicated that Jeremy and Dan Parnell would assist him with the technical aspects of the position, and he is very good at organizing and keeping things on track. On January 17th, the BOS will list discussion and possible appointment of the MLP Manager.

Bob and Jeremy will ask Westfield Gas and Electric to reschedule its January 15th update meeting because January 15th is the Martin Luther King state holiday.

Jeremy indicated that the Broadband Ad Hoc Group will have an internal working meeting on January 5th.

6. Discussion and possible vote re: the Interim Town Administrator's Contract

Bill reported that he had talked to Bob Markel and sent him a draft employment agreement which he accepted. Bill provided a copy of this agreement to the BOS for their review. The agreement indicates that

Mr. Markel will work between fifteen and twenty hours per week at a rate of \$55.00 per hour. It was agreed that Bob will begin on January 10th. Nicole moved to enter an employment agreement between the Town of Becket and Robert Markel to begin on January 10, 2018. Michael seconded. Motion carried unanimously. This contract expires on the 30th of June and may be extended upon mutual consent. The BOS and Bob signed the agreement which will be forwarded to Town Counsel for signature as to the proper legal form.

7. Emergency Management Director Appointment

Town Administrator Ed Gibson explained that due to a significant increase in FEMA and MEMA daytime trainings, and the increasing responsibility for around the clock coverage, it is practical to assign Emergency Management Director duties to a full-time town public safety employee. He discussed this with Tim Sullivan who had volunteered his services as the Emergency Management Director (for the past seven years). Ed indicated that Mr. Sullivan had done a great job and his work schedule conflicts with the trainings. Because of this, at the request of Bruce Agosti, MEMA's local Regional Coordinator, Ed and/or the Chief of Police Kristopher McDonough have been attending trainings. Kristopher McDonough is willing to serve as the Emergency Management Director, and he has factored in additional funding for training and equipment for the Police Department's fiscal year 2019 budget request. Michael moved to approve the Town Administrator's appointment of Kristopher McDonough as the Emergency Management Director. Nicole seconded. Motion carried unanimously. The BOS will send a letter of appreciation to Tim Sullivan.

8. BOS to review and possibly approve Becket Board of Selectmen Policies and Procedures

The following corrections to the Becket Board of Selectmen Policies and Procedures were suggested (noted in bold):

Ed: Under XIV. BOARD APPOINTMENTS, The Board shall make its appointments at the **second first** regular meeting in June. *Ed explained that in Becket, the Town Administrator's appointments traditionally occur during the first regular scheduled BOS meeting in June.*

Bill: Page 2 – Copies of the Policy Manual shall be made available to the public at **the** Selectmen's Office...

Bill: Page 8 – Under XVI. RELATIONS WITH CITIZENS ...taken by the Board which **will-with**...

Bill: Page 9 – XVII. PERSONNEL ISSUE (second paragraph) - ... Town Administrator **with the approval of the Board of Selectmen**, he/she will present the finalists...

Beverly will ask the Town Clerk for a copy of Warrant Article Cover Sheet Appendix A. referenced under XIX. TOWN MEETINGS.

Bill moved to approve with the above listed amendments, the Becket Board of Selectmen Policies and Procedures. Nicole seconded. Motion carried unanimously.

9. BOS review and possible vote on its recommendations for changes to the Bylaw Review Committee Proposed Amendments to Article 17 Section 21. for BOS Comments – BOS to discuss possible dates to meet with the Bylaw Review Committee

The BOS reviewed Town Counsel's remarks, and suggested modifications to the Bylaw Review Committee Proposed Amendments to Article 17 Section 21. The BOS specified that they were amenable to the new wording. Beverly will forward Town Counsel's remarks and suggested modifications to the Bylaw Review Committee and schedule a joint meeting to discuss the above captioned.

10. Special Town Meeting – Discussion and Possible Articles

Ed reviewed his listing of potential articles for a special town meeting.:

- Amendments to the Animal Control Bylaw

- Marijuana Moratoria
- Revolving Accounts Bylaw – The BOS will hold a public hearing (and publish an advertisement for such in the legal section of the Berkshire Eagle, and Country Journal) for this proposed bylaw.
- Amendments to Article 17 Section 21 (if the Bylaw Review Committee and BOS agree to submit this after they hold their joint meeting)
- Ed will check and add Articles that the Planning Board sent to him.
- Large Scale Solar Bylaw
- Financial articles (Transfers):

Unused \$33,000 Vocational Tuition funds into the Health Insurance account (\$16,000), Veterans' Benefits Account (\$10,000), and Transfer Station Account (\$7,000). Ed will also find a source to fund the Transfer Station Account in the amount of \$4,000. The Transfer Station is approximately \$11,000 over budget since tonnage (hauling) has increased. Ed advised that the town will receive 75% reimbursement for veterans' benefits; however, reimbursement will occur in the next fiscal year.

Ed will contact Town Counsel to ask for potential dates he would be available to attend the Special Town Meeting which is likely to occur mid-February. Once this is determined, the BOS will contact the Town Moderator and Town Clerk for their availability.

11. Discussion re: Change of Town Secretary's Title

Ed indicated that changing the position title had been discussed during December 2016 when he and the BOS upgraded and changed the Town Secretary's job description. Ed and Beverly had conducted research and returned with two commonly used titles in other municipalities. They selected the simplified form, Administrative Assistant (as opposed to Administrative Assistant to the Board of Selectmen and Town Administrator), to present to the BOS for their consideration. Michael moved to change the title of the Town Secretary's to Administrative Assistant. Nicole seconded. Motion carried unanimously.

12. Monthly Reports: Highway Department (dated 12/8/2017)

The BOS reviewed the Highway Department's report dated December 8, 2017.

13. Board of Selectmen's Comments and Announcements

Bill, Nicole and Michael thanked Ed for his service to the town, and wished him the best of luck in Southampton where he will work as their Town Administrator starting next week.

14. Town Administrator's Report

Ed's report included the following:

- 1) He joined 839 other individuals today on a MEMA Storm Situational Awareness Conference Call re: tomorrow's snow and wind storm.
- 2) The construction company completed 99% of the window and door upgrade project at the Washington Street Fire Station. By next week, they will return to install the one entry lockset and exterior trim on one door, and a little caulking on the inside of the building. In the spring, they will return to complete outdoor caulking which requires warmer weather.
- 3) Police Chief McDonough has submitted a Request for Transfer From the Reserve Fund in the amount of \$4,000 for the following unforeseen expenses: equipment and uniforms for two new reserve officers which replaced individuals who left the department unexpectedly, for required testing for the replacement full-time officer to attend the academy, and snow tires.
- 4) Tomorrow night, Ed will attend a Finance Committee meeting (weather permitting).

15. Public Input

There were no requests for public comment at tonight's meeting.

16. Any other business to come before the Board

There was no other business to come before the Board.

17. BOS to review and sign Warrants

The Selectmen reviewed and signed payable warrants.

18. Review Correspondence:

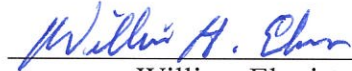
❖ **E-mail dated 12/26/2017 - Jeanne Pryor resignation from the Broadband Ad Hoc Committee (This is an advisory Committee to the Town Administrator) effective 12/26/2017 due to lack of consistent access to the internet (needed to retrieve documents to prepare for meetings) and time constraints.**

The Selectmen will send Jeanne a letter of appreciation for all she has done on behalf of the Broadband Ad Hoc Group.

19. Board of Selectmen to adjourn the meeting

Nicole moved to adjourn. Michael seconded. Motion carried unanimously. Bill adjourned the meeting at 9:53 p.m.

Respectfully submitted,
Beverly Gilbert, *Administrative Assistant*


William Elovirta, *Chairperson*

Documents discussed at this meeting:

- Berkshire Regional Planning Commission Local Technical Assistance (DLTA) Grant Application
- Letter and Agreement of Provision of Nursing Services by the Lee Regional Visiting Nurse Assn., Inc. d/b/a Porchlight VNA to the Board of Health of the Town of Becket for the period July 1, 2018 through June 30, 2019
- Interim Town Administrator's Employment Contract
- Draft Becket Board of Selectmen Policies and Procedures – based on 12/6/2017 meeting
- Highway Department's report dated 12/8/2017
- Town Administrator's Report
- Police Chief's letter of Explanation (dated 12/21/2017) for requesting Transfer of funds into the Police Expenses Account
- Reserve Fund Transfer Request from Police Department dated 1/4/2018
- Jeanne Pryor email dated 12/26/2017 – notice of resignation from the Broadband Ad Hoc Group
- Town Administrator's email dated 1/1/2018 forwarding K-P Law's re-edited version of the Open Container/Marijuana Consumption in Public Places portion of our Betterment By-law, and comments