

**Town of Becket  
Board of Selectmen's Meeting  
May 16, 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: Robert Markel, *Interim Town Administrator*  
Beverly Gilbert, *Recording Secretary*

Others: Mark Karlberg, Karen Karlberg, Mike Conboy, Chris Lynch, Bob Gross,  
Howard Lerner, Robert Ronzio, Dan Parnell, Jeff Wilkinson, Tim Fogerty,  
Colleen Cox, and Alison Dixon

**1. Call to order**

At 7:03 p.m., Bill called the meeting to order. It was indicated that the BOS and Bob Ronzio were recording the meeting.

**2. Pledge of Allegiance**

Bill led the pledge of allegiance.

**3. Approval of Minutes**

No meeting minutes were presented for approval.

**4. Conservation Commission Chairperson Alison Dixon to discuss recruitment of the Conservation Commission Agent**

The following points relating to the recruitment of the Conservation Commission Agent position were brought up:

- Alison advised that because the Conservation Commission's workload increases this time of the year, she urged the BOS to begin recruitment immediately rather than waiting until the town has a new Town Administrator.
- Alison indicated that the Conservation Commission members, due to other commitments, are not able to absorb the work of the Conservation Commission Agent. She suggested hiring an Interim Conservation Agent to allow the Conservation Commission to continue to function. Alison recommends a specific individual who is well regarded by other communities and the Dept. of Environmental Protection Wetlands Official Mark Stinson. This person has experience serving on other Berkshire County Conservation Commissions. Alison will arrange for that individual to provide references and meet with Bob Markel.
- Currently the town's Conservation Commission Agent is a part-time non-benefited position. Alison advised that the town lost its last two agents to other communities offering full-time benefited employment. She believes the town would increase its chances of retaining its agent if the position were full-time with benefits. Alison suggested that the town pursue grant funding through the Berkshire Regional Planning Commission for a full-time benefited Conservation Commission Agent shared amongst several towns. Alison indicated that each time she has had to recruit (3 times during her tenure), the additional time she has needed to devote to the Conservation Commission has been a hardship.

- Alison indicated that the agent's workload warrants between 12 weekly hours (wintertime – less activity) and 29 weekly hours (spring/summer – most activity) with 15 to 20 hours per week as the average number throughout the year. Alison indicated she would recommend increasing the number of hours to facilitate follow-up on conditions and orders.
- Bill mentioned that several residents complained that they thought the Conservation Commission's procedures are more onerous than necessary. Alison indicated that she welcomes and encourages the Board of Selectmen and/or those with concerns to bring them to the attention of the Conservation Commission so that they may be resolved.

Michael moved to start the advertising process to hire a Conservation Agent and to explore with Berkshire Regional Planning Commission a grant for a shared conservation agent. Nicole seconded. Motion carried unanimously. Michael moved to allow the Interim Town Administrator and Conservation Commission Chairperson to vet and hire an Interim Conservation Agent. Bill seconded. Motion carried unanimously.

*The Chairperson moved Agenda Item 6 to the next matter discussed.*

**6. Discussion and Possible vote to sign a letter of support or non-opposition to operate a retail marijuana (medical and adult use) facility at 2727 Jacobs Ladder Becket**

The BOS clarified that when the agenda was produced, this agenda item should not have listed a property address. The State of Massachusetts Cannabis Control Commission's procedures do not include that a specific address should be listed for a municipality letter of support or non-opposition. Before the new state guidelines were in place, the BOS's three public hearings for a letter of support or non-opposition to Ipswich Pharmaceutical proposition to operate marijuana establishments were tied to specified properties. Michael explained that the letter of non-opposition or support is an expression of the town's general sentiment, not a statement of the appropriateness of a specific location.

Michael Lavery read his personal statement outlining his reasons and why he believes it is practical for the Board of Selectmen to provide a letter of non-opposition for Ipswich Pharmaceutical Associates Inc. to operate in the Town of Becket. Michael's statement addressed resistance to change, explored his insight on common fear-based misconceptions, and challenging them based on the studies of other states and the outcome of legislation legalizing marijuana in those locations.

Nicole stated that although she personally would not want to see marijuana here, the town voted in favor of legalizing marijuana. Bill agreed that the town voted in favor of legalizing marijuana and at the Cannabis Control Commission's informational meetings, he learned that municipalities are required to either vote to sign a letter of support or non-opposition for medical marijuana businesses.

Several residents who saw 2727 Jacobs Ladder Road on the agenda attended tonight's meeting to comment that a marijuana establishment does not belong in their neighborhood and they expressed concern that 2727 Jacobs Ladder Road is not a safe place to house a business based on that the Route 20/Route 8 intersection is dangerous and not designed to handle additional traffic. The Board of Selectmen and Planning Board Chairperson Robert Ronzio fielded questions, and clarified that it is the Planning Board's, not the Board of Selectmen's, jurisdiction to review and vote on applications to operate a marijuana business on a specific site based on zoning parameters. During discussion it was stated that Ipswich Pharmaceutical Associates Inc. intends to conduct a traffic study.

Michael moved for the Board of Selectmen to sign a letter of non-opposition to Ipswich Pharmaceutical Associates, Inc. (please see the below wording). Bill seconded. Motion carried with Nicole abstaining.

The Becket Board of Selectmen does hereby provide non-opposition to Ipswich Pharmaceutical Associates, Inc. to operate a Registered Marijuana

Dispensary (“RMD”) in the Town of Becket. William Elovirta, Chairman of the Becket Board of Selectmen, is authorized to provide this letter on behalf of the Board of Selectmen by a vote taken at a duly noticed meeting held on May 16, 2018.

The Becket Board of Selectmen has verified with the appropriate local officials that the proposed RMD facility is located in a zoning district that allows such use by right or pursuant to local permitting.

*Michael reiterated that this does not signify that the Board of Selectmen is providing approval of that site.*

*Note: The Chairperson moved part of Agenda Item 13 to the next matter discussed.*

### **13. Any Other Business**

#### **Discussion on Town Administrator’s Recruitment – Bill provided an update:**

Of 34 candidates, the Town Administrator Search Committee (“TASC”) invited 8 candidates to interview. The TASC interviewed 5 applicants (3 of the 8 declined the invitation). Based on the TASC’s recommendation, the Selectmen interviewed two finalists, and voted unanimously to offer the Town Administrator position to Brian Domina. Brian Domina communicated that his final decision is to decline the offer of employment. The BOS asked members of the TASC if there are other applicants they would re-consider presenting to the BOS for the TA position. Dan stated that speaking for himself, he saw a large difference between the two candidates presented and the others not selected. Therefore, he would not suggest re-examining any of the candidates not submitted for finalists. Bob Gross stated that all members of the TASC had agreed there would be no others to submit as finalists and he would recommend re-opening the recruitment as opposed to returning to the applications submitted. Dan spoke in support of considering Andrea Wadsworth. He indicated that her ties to the town (she may become a Becket resident, and her Mother resides in town) would provide a special perspective when considering tax rates, town spending, and services. Dan envisions that Andrea would offer some stability and stay in the position for a longer period of time than even Brian Domina would have if he had agreed to work for the town. Nicole stated that she liked Andrea Wadsworth and thought she appears to be very creative, thrifty, has experience landing grants, and has good people skills. Michael stated that he has concerns that Ms. Wadsworth’s extra-curricular involvement would hinder her availability to spend the time needed to perform the Town Administrator role. Bill stated that he had hoped that the BOS would have had an opportunity to interview 3 or 4 candidates. Bill recommended that the BOS re-open the recruitment.

Bob Markel indicated that if necessary, he is able to remain past June 30, 2018 as the Interim Town Administrator.

Per Bob Markels’ recommendation (He has seen this work successfully in Northfield, Southampton, Templeton, and a search firm recruited him to work in Ipswich) the BOS agreed that Bob Markel will arrange for at least two Municipal Executive Search firms to provide a presentation of their services to the BOS.

### **5. Julia Grace’s request for the town to prepare the land and lay down concrete pads according to USPS specification to repair and expand the mailbox cluster at the head of Wells Road.**

A discussion followed after Bill read Julia Kay-Grace, Elise Fitzsimmons & Lucy Ferriss’s letter dated 04-17-18 in which they explain the circumstance which has them approaching the town for assistance regarding repairing and expanding the mailbox cluster on Wells Road. They asked the BOS to

authorize and arrange for the town to prepare the land and lay down concrete pads according to USPS specification.

Bill indicated that the town would need to authorize funding for this project at a town meeting and that citizens may submit a petition for a Town Meeting Warrant Article. Julia explained that coordinating this endeavor is complicated because the land near the mailboxes is town-owned land and most contractors will only provide estimates to property owners (one contractor bid came to approx. \$18,000) and it is difficult to bring mailbox users together for this cause because there is no formal organization authorized to manage this project. Bill indicated that he imagines that the BOS could provide written permission for this project to occur on the town right-of-way. Julia Kay Grace asked if the town would advocate on behalf of the mailbox users to the federal government. Julia indicated that she believes it is illegal for the USPS to charge a price beyond the postage that goes on your mail to get your mail delivered. She learned that there is a regulation regarding the desirable distance a postal recipient should be required to travel in order to receive his or her mail. Julia will forward to Bob Markel statutes that apply to the Sherwood Forest Lake District Citizen's circumstance. Julia indicated that all roads within Sherwood Forest are not subject to delivery because none are town accepted roads. Julia advised that there are 400 dwellings fit for human habitation in Sherwood Forest that should legally be able to receive mail. Bob Ronzio stated that he thinks a larger area is needed for the mailboxes because he thinks Julia's figure for the number of mailboxes is underestimated. Bob Ronzio suggested that those on Wells Road should receive delivery at their own homes since Wells Road is a town road and qualifies for home delivery. Julia will send the regulations to Bob Markel and he will contact Congressman Neil.

**7. Town of Dalton letter dated 05-09-2018 re: Washington Mountain Road Truck Exclusion**  
Dalton's Town Manager and Traffic Commission asked that the Becket Board of Selectmen reconsider its vote to take no action to pursue a Heavy Vehicle Ban on Washington Mountain Road. It was decided that the BOS will send a letter replying that the Selectmen have reservations about changing its decision and would like to ask the Town of Dalton to provide a ten-year history of truck accidents that had occurred on Washington Mountain Road. The Selectmen will convey that after reviewing the truck accident history, they would be amenable to getting together with representatives from the Town of Dalton, as offered in its letter, for further discussion of this matter.

**8. Discussion re: Invitation for Town Offices/Council on Aging to set-up information booths at the Becket Washington Brouhaha**

The Selectmen agreed to accept the Becket Washington Brouhaha's invitation to set up a Town Hall public outreach booth at the Becket Washington Brouhaha.

*Note: The Chairperson moved Item 16 to the next matter discussed.*

## **12. Public Input**

Howard Lerner and Bob Ronzio stated that they are concerned about the safety of pedestrians on Wells Road. Due to the vehicular traffic and abundant pedestrian activity (particularly during the summer), they suggested that the town construct sidewalks on Wells Road. Bob Markel suggested that this may be an appropriate project for which the town could apply for funding through the MassDOT Complete Streets Program. The Selectmen will inquire about this idea with the Highway Superintendent.

Per Howard Lerner's request, Beverly will contact a person placing students in summer internship opportunities (100 hours - areas of auto mechanics or Parks/Recreational Department).

Chris Lynch from Matrix Design Group provided a document entitled, "Matrix Design Group From Concept to Completion – Response to MBI NOFA/FGP on Behalf of Matrix Design Group for the Town of Becket dated 02/07/2018." Mr. Lynch indicated that over a year ago, Matrix offered to build the town a fiber-optic network at their expense. They are currently building the town of Petersham and it is estimated to be 70-90 percent built by December 16<sup>th</sup> (second anniversary of their broadband authorization). The network will cover 100 percent of the homes, and it will cost the taxpayers zero.

Mr. Lynch stated that Matrix will be 100 percent fiber. Last time when Matrix approached Becket, the state indicated that it would not guarantee the Broadband last mile money and now the state has placed a guarantee on the funds.

In February MBI offered a flexible grant program and Matrix submitted the same proposal to MBI and at tonight's meeting Chris wanted to give the Board of Selectmen a hard copy of that proposal. Mr. Lynch stated that Matrix's offer to the town is still on the table and nothing the town has done so far through Westfield Gas & Electric would preclude Matrix from coming into Becket and building the network. Chris Lynch offered to present the details of Matrix's proposal at a Board of Selectmen's meeting where he would welcome questions and discussion.

Mr. Lynch explained that Matrix regards the broadband build as an investment. Matrix would design it, build it and operate it. After three years, the town would have the option to purchase it, and each year the price would decline, until year 20 at which the town may purchase it for \$10.00. The agreement represents a capital lease. The \$2,100,000 last mile state grant would cover the cost of the network. Chris Lynch stated that he is aware that parts of Becket have underground utilities and Matrix's proposal is strictly aerial. He said he is willing to work with the town (private communities) which would need to provide the underground conduit, and there are issues relating to Mass. Pike.

Chris Lynch stated that any engineering firm worth their salt can look at the pole survey data and provide a fairly accurate estimate. Mr. Lynch stated that he regard's Westfield Gas & Electric's delay until August to provide the estimates as unacceptable. Bill indicated that the state will provide additional funding due to that the state underestimated the number of poles by one third. Chris Lynch stated that despite that the state is providing additional funding for make ready shortfalls, the state will not cover shortfalls relating to low construction estimates, and the town must cover construction shortfalls which will likely be passed along to subscribers, and higher subscriber costs will lead to lower take-rates.

Chris Lynch stated that Matrix would guarantee standard tier pricing at \$95 monthly fee for two years and then increase the monthly fee in accordance with the CPI. Anything above and beyond the CPI rate increase would have to be approved by the town. Matrix could provide internet & telephone. Most cable providers are going to an IP based system. PlayStation Vue provides now provides 35 channels (\$45 per month) and access to sporting event coverage (Boston Red Sox, Bruins, etc.).

#### **9. Departmental Reports:**

- ❖ **Highway Department – report dated 5/1/2018**
- ❖ **Animal Control Officer – January through April 2018**
- ❖ **Ambulance – April 2018 Report**
- ❖ **Fire Department – April 2018 Report**
- ❖ **Police Department – March & April 2018 Report**

The BOS reviewed the above listed departmental reports.

## **10. Board of Selectmen's Comments and Announcements**

Michael provided information about the Massachusetts Executive Office of Energy and Environmental Affairs Drinking Water Supply Protection Grant Program.

Nicole indicated that a walking trail (roller blading/stroller-friendly) would be a beneficial attraction to consider for a streetscape or PILOT funded project. A potential location would be on town-owned land off Route 20/Fred Snow Road

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

The town received three bids for the removal of asbestos at 21 Maple Street.

- Top-Notch Abatement LLC, Thorndike, MA \$23,875
- Abide, East Longmeadow, MA \$23,000
- Barile Environmental, Pittsfield, MA \$18,759

Michael moved to sign a contract with Barile Environmental, Pittsfield to remove asbestos at 21 Maple Street for a cost of \$18,759. Nicole seconded. Motion carried unanimously.

The guardrail by Jacob's Pillow has been installed/completed at no cost to the town.

The Dept. of Energy Resources Green Communities Office in Boston approved a one-year extension of the Green Communities project. The project on file is the Town Hall HVAC project. Bob advised that the town will not use the \$28,000 for the HVAC project and will use the funding for new heating systems, and weatherization at the Fire Station and Highway Department. Bob will work with the Highway Superintendent to submit documents (including estimated energy savings) to the DOER. Bob went over the estimated timeline of the Green Energy Project. During mid-summer, Jim Barry of DOER would inspect, and approve the project as part of the first phase (called the designation phase) of the green energy program for completion in September 2018. After phase 1, the town will be eligible to apply a competitive grant up to \$250,000 (for possible use of an HVAC system) in February 2019. Bob Markel recommends that in September of October of 2018, the town contract Berkshire Regional Planning Commission to commence and prepare the competitive grant application.

Becket Energy Committee –The town approved municipal energy aggregation approximately three years ago at Annual Town Meeting. Bob Markel listed an RFP for this on the COMMBUYS (to list smaller projects) website.

Route 20 Spring – Bob requested quotes from three engineering firms: Housatonic Basin, Fuss & O'Neil and Foresight Engineering. He mentioned a letter from Deer Haven's Attorney saying that if the project goes forward, Deer Haven will cooperate and grant an easement to the town.

There was a Medex meeting today. The representatives explained the new Medex Plan, takes advantage of the subsidy of the federal government for prescription drugs and passes on the savings to their customers. The monthly per person premium for the town will change from approximately \$750 to approximately \$450. The Town Treasurer reported to Bob Markel that Berkshire County Retirement Board notified her that they will no longer process differing health/dental insurance premium contribution percentages for Town of Becket retirees, and they will only process uniform health/dental insurance premium contribution percentages for all town of Becket retirees. Bob Markel indicated he thinks this may cause a great deal of consternation amongst retirees who were promised a certain percentage if they are told of an increase in their health insurance contribution percentage. Bob said the town may need to take on the administrative burden.

Ipswich Pharmaceutical Host Agreement – Bob indicated that Joseph McCarthy contacted him today and Bob asked him to send him IPA’s Host Agreement proposal. Mr. McCarthy offered that IPA would like to give the 3 percent donation to the local school. Bill pointed out that the town is part of a regional school district, and he would like others areas to be considered such as public safety. Nicole suggested creation of walking trails.

The Board of Selectmen will consider having a working meeting in July since July 4<sup>th</sup>, the first Wednesday, in July is a holiday.

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

Per Bill’s suggestion based on the request of Planning Board members Ann Krawet and Al Blake, Bob Markel will contact State Senator Adam Hinds (with a copy to Al Blake) to say that the BOS supports funding the Berkshire Regional Planning Commission.

Per Bill’s recommendation, the BOS will post information literature relating to the Solar Access Affordable Home Heating Program on the town website.

Bob Markel indicated that in order to be eligible for Green Communities funding, the town must accept ground applications on land as a given right. The town’s zoning requires a special permit. Bob will alert Jim Barry of DOER, and Michael will mention this to Al Blake of the Planning Board.

Bill indicated that in response to the town’s letter outlining FY19 fees (not negotiable) for Fire Protection and Ambulance Service, the Town of Washington indicated that it was not willing to provide funding to the town for Ambulance Service since it contracted with County Ambulance, and it was willing to increase funding from \$10,000 to \$12,000 for Fire Protection. Bill stated that on May 9, 2018, the Town of Washington, at its annual meeting voted to approve \$12,000 payable to the Town of Becket for Fire Protection and nothing for the Becket Ambulance Department. Bill stated that from his vantage point, the Town of Washington has voted to not have Fire Protection. Bill suggested that the Town of Washington may ask another town to provide Fire Protection and the Town of Washington is free to build its own Fire Station and purchase a Fire Truck. Bill stated that others he discussed this matter with do not feel that \$15,000 is unreasonable, particularly when you take into account that Becket is carrying the cost of over 1 million dollars of Fire Department inventory. Bill discussed this with the Town of Hinsdale which advised that should TOW approach Hinsdale for Fire Protection, it will cost more than \$15,000. Bill stated that Washington’s response is a slap in the face. It was agreed that Bob Markel will send the Town of Washington Board of Selectmen a letter saying that since Washington does not agree to pay \$15,000 to the Town of Becket For Fire Protection, then the TOW should make other arrangements for its Fire Protection. The BOS will instruct the Town Treasurer to not accept a check if it is less than \$15,000. The BOS will ask the Ambulance Department for a per Ambulance Run cost. Bob Markel’s letter will advise that every time the Becket Ambulance responds to a Washington call, Washington will be invoiced for a fee-based amount. Bill stated that the Town of Becket does not have a contract with the Town of Washington. Nicole stated that the Town of Washington must be having a difficult time financially. Bill stated that the Town of Washington was able to put aside \$40,000 free cash into its stabilization fund, and \$40,000 from free cash to reduce its tax rate. Bill thinks they should have been able to come up with the additional \$3,000 for fire protection.

Beverly advised that she received a telephone call from one of the Center Pond weed-pulling volunteers, and they may approach the town for special passes (not the same as beach stickers)

to allow volunteers to park at the beach. Mercedes Gallagher used to maintain the passes to provide them to the volunteers.

Bob Markel reported that a former owner of the property on Wells Road is unhappy about the easement article on the ATM.

**14. BOS to review and sign payable warrants**

There were no payable warrants for the BOS to review at tonight's meeting.

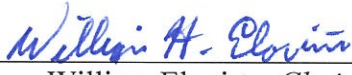
**15. Review Correspondence:**

- ❖ **Wood Environment & Infrastructure Solutions, Inc. notice received 05-14-2018 re: CSX's 2018 Yearly Operational Plan (describes vegetation control) for Right-of-Way Management regulations**

**16. BOS to adjourn the meeting**

Michael moved to adjourn. Nicole seconded. Motion carried unanimously. At 10:20 p.m. Bill adjourned the meeting.

Respectfully submitted,  
Beverly Gilbert, *Administrative Assistant*

  
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William Elovirta, *Chairperson*

**Documents discussed at the meeting:**

- Matrix Design Group's proposal dated February 7, 2018
- Aaronson & Associates, P.C. letter dated 05-07-2018 re: Becket Spring
- Solar Access Affordable Home Heating brochure
- SRF Drinking Water Program Information
- Michael Lavery's statement to support signing a letter of non-opposition for Ipswich Pharmaceuticals, Inc.
- Above captioned Correspondence
- Above captioned Departmental Reports
- Town Administrator's Report
- Dalton's letter dated 05-09-2018 re; Washington Mountain Road Truck Exclusion
- Becket's BOS letter of non-opposition to IPA dated May 16, 2018