

**Town of Becket
Board of Selectmen's Meeting
July 18, 2018
7:00 p.m.
Town Hall
557 Main Street, Becket**

Attendees:

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

Staff: Robert Markel, *Interim Town Administrator*
Beverly Gilbert, *Recording Secretary*
Christopher Bouchard, *Highway Superintendent*
Ray Ferrin, *Ambulance Director*
Kris McDonough, *Chief of Police*
Michael Hunt, *Police Officer*

Others: Chris Swindelhurst, Robert Ronzio, Chris Lynch (Matrix Design Group),
R.J. Grillon, Dave Furlong Jr., Chris Isner, J. Rawsen, Al Blake, Bob Gross,
David Edgecomb

1. **Call to order**
Bill called the meeting to order at 7 p.m. Bill indicated that the BOS was recording the meeting.
2. **Pledge of Allegiance**
Bill led the pledge of allegiance.
3. **Approval of Minutes**
Michael moved to approve the minutes for the June 27, 2018 Working Meeting and the July 5, 2018 Joint Board of Selectmen/Town Administrator Screening Committee Meeting. Nicole seconded. Motion carried unanimously.
11. **Town Administrator's Appointment Recommendations: BOS to consider Voting Approval. (The Board agree to discuss this agenda item next)**
Nicole moved to approve Bob Markel's recommendation to reappoint Mark Hanford as the Fire Chief/Fire Warden effective 7/1/2018 through 6/30/2019. Michael seconded. Motion carried unanimously.
4. **New Solar Zoning By-Law Question relating to Green Communities Designation Criteria**
After holding discussion with Jim Barry, Green Communities Regional Coordinator from the Massachusetts Department of Energy Resources, Michael made a motion for the Board of Selectmen to ask the Planning Board to draft an amendment (to present to Town Meeting) to the town's Zoning Bylaw **6.6 SOLAR PHOTOVOLTAIC INSTALLATIONS** that will comply with the Green Communities Designation criteria (see below). Nicole seconded. Motion carried unanimously.

Green Communities Criteria 1 requires at least SOMEPLACE in town (not every place) that at least 250kw ground mounted solar system can be permitted WITHOUT a Special Permit. (Or, manufacturing or research & development can be permitted without special permit.)

Jim Barry explained that the new Zoning by-law **6.6 SOLAR PHOTOVOLTAIC INSTALLATIONS** that had passed at the May 2018 Annual Town Meeting does not comply with the Green Communities Designation, and he indicated that the specific section which requires that any ground mounted PV system over 1/8 an acre needs a special permit would need to be remedied. Jim Barry advised that until this bylaw meets the Green Communities criteria, the town will not be eligible for additional Green Communities funding. A discussion ensued about potential fixes (including creating a Solar Photovoltaic Overlay District on town-owned property). Jim Barry stated that he is available to review the draft revision.

5. Highway Superintendent to discuss Complete Streets Program and possible Chapter 90 projects

Highway Superintendent Christopher Bouchard discussed the Complete Streets Program and possible Chapter 90 projects. The MassDOT Complete Streets Funding Program provides technical assistance and construction funding to eligible municipalities. Eligible municipalities must adopt a Complete Streets Policy. The BOS reviewed the draft policy that Chris submitted. Michael moved to adopt the MassDOT Complete Streets Funding Policy. Nicole seconded. Motion carried unanimously. Michael moved to approve the MassDOT Chapter 90 project requests (County and Quarry Road resurfacing – estimated at \$238,753.32) as described by the Highway Superintendent. Nicole seconded. Motion carried unanimously.

6. Police Officer Michael Hunt to conduct a presentation regarding the Stanton Foundation K-9 Unit Establishment Grant. BOS may vote to accept Police Chief McDonough's recommendation for the town to apply for this aforementioned grant and for Police Officer Hunt to become Becket's first K-9 Officer.

After hearing Michael Hunt's presentation, and reviewing information provided (Model budget for Establishment of K-9 Unit, copy of Stanton Grant Agreement), Michael Lavery made a motion to sign the grant agreement for the Stanton Foundation in the amount of \$25,000 to establish a canine unit for the Becket Police Department, and for the Board of Selectmen Chairperson to write letter of support. Nicole second. Motion carried unanimously. Salient points during discussion:

- Chief of Police McDonough supports this venture
- A K-9 may serve as an immediate backup to the handler.
- K-9s possess superpower sniffing abilities (approx. 50 times greater than humans). K-9s have proven to: decrease response time, be invaluable assets for search and rescue missions/detection of illegal drugs, increase police personnel safety and increase public safety.
- The Stanton Foundation Grant would cover 100% of the costs to establish the K-9 Unit for three years. Thereafter it is estimated that the cost to the town would be \$200 per year for food, and \$270 per year for Veterinary Care.
- Unlike guns/Tasers and other weapons, the K-9 can be recalled. K-9s may be used as a deterrent.
- It is proposed that Michael Hunt would be the K-9 handler.
- The dog and its handler would attend 8 to 10 weeks of training.
- The average K-9 is part of a Police Dept. team for 10 years

7. **Ambulance Department Director Ray Ferrin to discuss:**

- **Monthly Report for June 2018**
- **Disposal of Ambulance Equipment**
- **Department Staffing**

The BOS reviewed the Ambulance Dept.'s June monthly report.

Per Ambulance Director Ray Ferrin's recommendation, Michael moved to classify items that the Ambulance Department is no longer able to use: 1) the old stair chair, original cost approx. \$3,000 possibly able to sell for \$800 to \$1,000 and 2) stretcher, original cost \$9,000 possibly able to sell for \$3,000, as surplus items and the town will return them to the Becket Friends of Ambulance which donated them to the Ambulance Department. The Friends of Becket Ambulance intends use the proceeds toward future donations to the BAD. Nicole seconded. Motion carried unanimously.

Ray indicated that due to budgeting, he will hold off increasing the number of his employees.

8. **Town of Becket Community Choice Power Supply Program Aggregation Plan (Public comment period until 5 p.m., July 31, 2018**

The BOS announced that the town's Aggregation Plan, developed in consultation with the town's aggregation implementation consultant, Colonial Power Group, Inc. and the Massachusetts Department of Energy Resources is posted on the town website. This plan is for public review and comments will be accepted until 5 p.m. on July 31, 2018. The purpose of this plan is to represent consumer interests in competitive markets for electricity. It seeks to aggregate consumers in the town to negotiate rates for power supply.

Al Blake indicated that a representative from Colonial Power Group, Inc. will speak at the Becket Energy Committee's Annual Forum in September.

9. **BOS to review and possibly vote on Becket Chief of Police's proposal for a Detail Wage Increase**

Chief McDonough discussed his survey of surrounding town's detail rates: Becket's current rate at \$40, which is significantly lower than other towns', would put Becket at a disadvantage to attract officers willing to partake in detail duty in Becket. Per Bob Ronzio's suggestion, Chief McDonough will research state law with respect to Sunday detail rates. It is Bob Ronzio's understanding that the state no longer mandates time and a half for Sunday pay rates. Nicole moved to approve the Becket Chief of Police's recommendation to increase the detail wage rate to \$44 per hour effective 7/29/2018. Michael seconded. Motion carried unanimously.

10. **Broadband Update**

MLP Manager Bob Gross indicated that the Broadband Ad Hoc Group continues to review and provide feedback on Westfield Gas & Electric's design and budgeting information. Matrix has agreed to spot check Westfield Gas & Electric's pole information. The Broadband Ad Hoc awaits further information before it will provide a recommendation to the BOS regarding if the town should continue with its original plan to design and operate a town-owned network vs. accepting Matrix's proposal. The Broadband Ad Hoc Group will meet with Westfield Gas & Electric on July 30th. The Broadband Ad Hoc Group has reviewed/accepted seven out of the town's ten fiber service areas and the remaining three will be discussed on July 30th with Westfield Gas & Electric. Members of the Broadband Ad Hoc Group will drive around town to view/verify condemned poles. The Broadband Ad Hoc Group will schedule a meeting with the Board of Selectmen during the summer. Once more definitive estimates/plans are known, the Broadband

Ad Hoc Group may discuss and help the Selectmen to develop a Special Town Meeting (TBA) broadband related Warrant Article.

The BOS and Broadband Ad Hoc Group agreed to jointly send Becket Woods a letter outlining Becket Woods vs. Town's cost estimates/responsibilities affiliated with construction of Broadband in Becket Woods. The Broadband Ad Hoc Group, based on current information, believes it will recommend that the Selectmen vote to accept the terms listed in the letter.

12. BOS to acknowledge George Robert's resignation (effective June 27, 2018) from the Zoning Board of Appeals

In response to George Robert's notification that he has resigned from the Zoning Board of Appeals effective 6/27/2018, the Selectmen will send him a letter to express their appreciation for all he has done over the years while serving on this board.

13. Route 20 Spring Update

Bob Markel advised that Housatonic Basin has signed a contract with the town to conduct the engineering study and to obtain cost estimates for the installation of an ultra violet system as approved at the ATM. Because many Chester residents rely on the spring and have been vocal at Becket meetings, Bob Markel will continue to keep the Chester administrator apprised (and he has asked that she relay the information to the Chester Board of Selectmen). So far Chester has no interest in taking any measures to allow the spring to operate. During a Special Town Meeting (TBA), Becket residents would be entitled to know about Chester's involvement (or lack thereof) and if Chester is willing to contribute. The Selectmen received a letter from the Friends of the Becket Spring, Inc. saying that it exists to raise funds to give the town for the Becket Spring and that it has no intention of operating the spring. Bob Markel indicated that originally they had stated that they would approach DEP to designate them as the operator. Bill confirmed that that was the impression he had received from the ATM. Nicole indicated that one of the members of the Friends of Becket Spring, Inc. whose name was not included on the letter was the one who specified that the Friends of the Becket Spring, Inc. would seek to operate the spring.

14. Departmental Reports: Volunteer Fire Department (May & June 2018), and Police Department (May & June 2018), See Agenda Item 7 for Ambulance Department (June 2018)

The BOS reviewed the above captioned reports.

15. Inter-departmental Transfers of Funds

No inter-departmental Transfers of Funds were presented. Bob Markel advised that none were requested. He specified that the FY18 books are closed, ended with a balanced budget, we were able to cover the snow and ice deficit and were able to make a couple of modest transfers that had been approved by the Finance Committee.

16. Board of Selectmen's Comments and Announcements

Michael stated that he wanted to recognize that there was a hearing for the Fire Chief last week and there was a large turnout of townsfolk, individuals from the Town of Washington Select Board and Town of Washington Finance Committee. Michael stated that he feels that the public relations aspects printed in the Berkshire Eagle was unfortunate, he thinks there could have been things the Becket Board of Selectmen could have done better. Michael stated that he feels strongly that it would not be too much to send a letter to the Town of Washington because it is important to establish a rapport so that going forward the two boards may meet in good faith. Bill

asked Michael if he would draft a letter. Michael agreed that he would draft a letter for the next Selectmen's meeting. Nicole stated that one thing that the BOS had not communicated with Washington, and that people did not understand, was that regardless of the situation, the Becket Fire Department would respond to Fires in Washington. Bill agreed that the Selectmen could have used a better choice of words in the town's letter to Washington. Richard ("Dick") Grillon, member of the Washington Select Board, stated that Washington residents regard themselves as part of the Becket community, and because this matter created a disruption to the Town of Washington (many angry people), a simple "we're sorry this happened" would go a long way.

17. **Town Administrator's Report**

Bob advised that the town received a \$1,350 bill from the Indian Lakes Association for association dues for a parcel it recently noted that Becket owns in Indian Lakes. Bob Markel inquired as to the town's practice during such circumstances. The BOS recounted the town's experience with Crystal Pond. He advised that Town Meeting rejected a \$10,000 bill for association dues owed to Crystal Pond assessed for land owned by the town in Crystal Pond and then the town discovered it owned another parcel in Crystal Pond. The town had taken the property through tax title without knowledge that in doing so the town would become responsible for the association dues. Crystal Pond sued the town for the dues (fees/penalties) which climbed to \$20,000 and the town settled for \$10,000 plus it gave the property to Crystal Pond. The BOS cautioned that it would want to avoid late fees/penalties in conjunction with Indian Lakes Association's dues and directed Bob to discuss this matter with Town Counsel.

The items listed on the surplus property (equipment) on-line auction sold and the town has received payment.

The town received a complaint from an individual who resides in Lee and was denied a Transfer Station permit because the lot that he owns in Becket does not have a residential building. The BOS agreed that this person does not qualify for a Transfer Station permit because trash generated outside Becket should not be brought to the Becket Transfer Station. The BOS will put this policy in writing.

21 Maple Street: The town signed a contract with the lowest bidder (Duquette in the amount of \$22,000). Duquette will remove the dead tree on the property and crush the septic system (if concrete) or remove the tank (if metal). The start date will be announced. Bob awaits Eversource to comply with his request from July 10th to shut off the electricity. Bill indicated that he will follow up with Eversource.

Energy Issues: Tomorrow (9 a.m. till 5 p.m.) the DOER is accepting applications (awarded on a first come first serve basis) for a Municipal Energy Technical Assistance Grant in the amount of \$12,500. Recipients of this grant may hire a consultant to address energy issues. The most important issue that would be brought to a consultant includes determining what type HVAC system the town should install to replace the oil-based system (propane based, or electrically run heat pumps) in the Town Hall. Bob reported that Al Blake alerted him about another grant opportunity from the Massachusetts Center for Energy Conservation for up to \$250,000 to install a heat pump system (either ground based or air sourced). There are a couple of questions for the consultant. 1) What makes the most sense? The argument that Jim and others present is if you have a heat pump system that is more than five years old, do not make the judgement on that basis. The new technologies on heat

pumps are far more efficient and capable of providing adequate heat down to 20 degrees below zero. Among the questions we have, is that really true? If it is, do you need a backup system of electric baseboard heat? Is it sensible to do this or should the town proceed and go for the second DOER grant round in February for another green communities grant which may be up to \$250,000 to install a propane based system? The attraction of heat pumps (if there is the determination that they can provide adequate heating) is that it could be linked with a solar array at Town Hall (4.94 acres). The town would build either a public or private solar array (another question for the consultant) at the Town Hall and how can that be connected to provide electricity for the Town Hall heating system as well as to offset electrical needs for the town offices. If that would work for the town, that would be a way for the town to control energy costs. Bob Markel prepared a 30-page document to apply for the META grant. This application asked the town to describe the steps it took to tighten up the Town Hall building and improve its lighting efficiency. To the grant application, Bob has attached old bills documenting measures the town took: the town replaced the Town Hall exterior lighting with energy efficient bulbs, the town replaced its town hall roof (this process increased the "R" value of the insulation from 30 to 60 (the recommendation is approx. 53). Bob Markel indicated that the town is in very good shape. The Town Hall has very good windows (they are double glazed), and other lighting was replaced. The DOER grant requires an energy audit. Last week, Bob contacted the firm in Agawam that did the energy audit for the Town Hall building sometime during 2010/11. Bob requested that they provide a quote to update the audit. The firm replied that they are out of business and per their recommendation, Bob called Jim Barry who suggested contacting Eversource who has set aside funds to conduct an audit that will suffice the DOER's requirements. Bob has submitted the application to Eversource (which received funds through National Grid) to conduct the audit. Michael moved to apply for the META grant in the amount of \$12,500. Nicole seconded. Motion carried unanimously. Al Blake indicated that Climate Heating & Air Conditioning conducted a site visit at the Town Hall and is providing the town with a cost estimate for a heat pump system and for ground sourced heat pumps. Bob Markel indicated that although ground sourced would be superior, it will be off the table because it is estimated at \$600,000.

Friends of the Ambulance have requested to use town resources (stationary/postage/use of the postage machine) in conjunction with its upcoming fundraising mailing. They stated that they donate all money raised to the town to support the Ambulance Service. The BOS agreed that it is important for the town to act consistently for all organizations (there are many non-profit organizations). Bill indicated that the Becket Firefighters Association pays for and affixes postage on its fundraising mailings. Because the postage machine has a meter number assigned to the Town of Becket, the BOS determined that despite that the Friends of the Ambulance would reimburse the town for the postage it would be best to keep their mailing separate.

The July 17 storm destroyed the beach at Center Pond. The Parks & Recreation Committee Chairperson and Bob have requested an emergency meeting with the Conservation Commission to approve the sand replacement. Bob Markel will contact the Conservation Commission in the hopes that it will be possible to redress the beach prior to the weekend.

Jacob's Pillow property is being re-assessed to account for new buildings (Jacob's Pillow has spent millions). When completed (anticipated end of July), Bob will meet with the Executive Director to negotiate an increase in JP's PILOT to the town. Al Blake brought

Bob an article from today's Berkshire Eagle discussing how Boston carries out its PILOTs. In Boston, organizations are asked to pay 25 percent of the real estate tax that would have been charged against assessed value of the property, and of that 25 percent, 12.5 percent is paid in cash and the other 12.5 percent is paid through community service values (for example, a college may open up free spaces in its classes to donate the community). Al Blake suggested that perhaps Jacob's Pillow could donate a portion of their land for a community solar array. Bob agreed that he may approach JP regarding community solar. Bill stated that another place the town should keep an eye on is the Kushi Institute which recently changed ownership (Marion Fathers). Bob Ronzio suggested that the town also consider reassessing the YMCA's PILOT. Bill indicated that he thinks the use of the YMCA's property should be examined. He is not certain all (such as property used for staff housing) should be tax exempt. Bob stated that although PILOTs are voluntary, the Board of Selectmen could consider creating a PILOT ask policy. Bill and Bob explained that PILOTs are reasonable when the services and assistance provided by the town (Fire, Police, town-roads, Ambulance, etc.) to the organizations are considered.

Bob attended the Berkshire County Manager's Association meeting yesterday. From that meeting, he provided information regarding OSHA standards and MMA's upcoming training sessions. The governor signed a bill that applies OSHA requirements to cities and towns. Towns are faced with a burden to provide training to managers and employees.

18. Public Input

Bob Gross brought up that the town will need to find a place for a Broadband Generator (9' X 16' would be the minimum dimension) and possibly a backup generator for the Town Hall. He indicated that the Selectmen may wish to review choices, and one option to save on construction costs may be to use space in the Town Hall, possibly the Boy Scout's room if there were an acceptable alternative meeting location for the Boy Scouts. Michael stated that he opposes relocating the Boy Scouts and the BOS acknowledged that a place (hut) for placement of the Broadband generator will need to be addressed.

Bob Ronzio and the BOS discussed the status of the 21 Maple Street demolition project. An individual from the Fire Department suggested that when negotiating an agreement with the Town of Washington for Fire Protection Services, it would be helpful for the Town of Becket to provide more specific information relating to Becket's operating and capital costs. Bill indicated that the BOS will meet with the Town of Washington Board of Selectmen to discuss an agreement.

Al Blake inquired about the Code of Conduct Policy. Bob Markel explained that in our world which has become increasingly litigious, this policy serves to reduce the town's exposure to liability. The Fire Chief had indicated that many members of the Fire Department object to signing that they have received this policy. Although Bob Markel and the BOS do not believe that the contents contained in this document encroach on the rights of those signing it, Bob Markel and the BOS await Town Counsel's review.

19. Any other business to come before the Board

The BOS will include Election Worker Appointments on an August agenda.

The BOS signed the FY 2018 and FY 2019 amended pay rates for the Interim Conservation Agent.

The BOS agreed to wait until the new town administrator comes aboard before updating the town website.

20. Correspondence

- The Secretary of the Interior letter dated 06-26-2018 to advise that the town will receive Payment in Lieu of Taxes in the amount of \$293 for Federal Lands administered by Agencies within the Department and on behalf of the U.S. Forest Services and the U.S. Army Corps of Engineers

The BOS acknowledged receipt of the above mentioned letter.

21. BOS to review and sign payable warrants


The BOS reviewed and signed payable warrants.

22. BOS to adjourn the meeting

Michael moved to adjourn. Nicole seconded. Motion carried unanimously. Bill adjourned the meeting at 10:15 p.m.

Date Approved: 8-1-18

Respectfully submitted,
Beverly Gilbert, *Administrative Assistant*



William Elovirta, *Chairperson*

Documents discussed at the meeting:

- Police Chief memo dated 6/27/2018 re: Detail Wage Increase
- Community Choice Power Supply Program Aggregation Plan prepared by Colonial Power Group, Inc.
- Memo to Becket Woods Prudential Committee from Becket Ad Hoc Broadband Committee re: Broadband Cost estimate information
- BOS Letter of Appreciation to George Roberts
- George Roberts' e-mail dated 6/27/2018 re: resignation from ZBA
- Reports: Volunteer Fire Dept. May 2018, Police Dept. May and June 2018, Ambulance June 2018
- Letter from friends of the Becket Spring, Inc. dated 7/2/2018 re: its mission
- Jim Barry, Green Communities Regional Coordinator, e-mail dated 7/3/2018 re: New Solar Zoning Bylaw
- MassDOT Complete Street Funding Program Policy
- Model Budget For Establishment of K-9 Unit
- The Stanton Foundation Grant Agreement, K-9 Program
- Police Chief letter dated 7/18/2018 re: support of creation of K-9 unit within the Becket Police Dept.
- Town Administrator's Report
- Berkshire Municipal Management Association meeting agenda and Information re: OSHA Safety for Public Sector Highlights of Updated Law MGL Chapter 149 Section 6 ½ March 9, 2018
- Meeting Minutes: 7/27/18 Working Meeting and 7/5/2018 Town Administrator's Screening/Board of Selectmen's meeting
- Correspondence – as noted above
- FY 2018 and FY 2019 Amended Authorized Payrate forms