

**Town of Becket
Board of Selectmen Meeting
December 19, 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: Bob Markel, *Interim Town Administrator*;
Beverly Gilbert, *Recording Secretary*
George Roberts, *Town Clerk*;

Others: Bob Gross, Julia Kay Grace, Robert Grace, Alison Dixon,
Chris Lynch (Matrix Design)

1. Call to order

Bill called the meeting to order at 7 p.m. He 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 accept the December 5, 2018 regular meeting minutes and the December 11, 2018 working meeting minutes. Nicole seconded. Motion carried unanimously.

4. Conservation Commission re: discussion and possible vote to hire Mary Stucklen to serve as Co-Conservation Agent, and Dept. of Environmental Protection letter dated 11-21-18 regarding Small Town Environmental Partnership

Based on Mary Stucklen's interview, credentials, references, and experience serving on the Becket Conservation Commission, Alison Dixon, Chairperson of the Conservation, recommended that the town hire Mary Stucklen to serve as the Co-Conservation Agent. Alison indicated that the town's current Interim Conservation Agent, Stacy Parsons, due to full-time employment commitments, is no longer able to continue spending as much time in Becket. Stacy is able to provide limited consulting services to the Conservation Commission that includes mentoring Mary Stucklen to assist with the transition. Alison recommended that Mary would receive the same hourly rate of pay as the town pays to Stacy. Bob Markel indicated that he agreed with Alison's recommendations. Michael moved to approve the Town Administrator's recommendation to appoint Mary Stucklen Co-Conservation Agent effective January 1, 2019 through June 30, 2019. Nicole seconded. Motion carried unanimously.

Alison pointed out that the deadline for applying for the first come first serve Small Town Environmental Partnership grant is on January 18th and if the BOS determines that this program may be useful to the town, the town may wish to respond sooner than that. Bob Markel will contact other towns that have been involved with this program to obtain feedback about the experiences.

5. Town Clerk George Roberts to address the Board of Selectmen re: on-going issues between the Board of Selectmen and Town Clerk.

George Roberts, talked about some of the past dealings he has had with the Board of Selectmen since 2014. He stated that when there are decisions and changes under consideration that impact the duties of the Town Clerk's Office, it is his suggestion that the Board of Selectmen, Town Administrator and Administrative Assistant will communicate with him to a greater extent to allow him to provide constructive input. He cautioned that the BOS does not have the authority to assign responsibilities to elected officials, and that agendas should correspond to the Selectmen's decisions.

George stated that he learned about the January 22nd STM through the Berkshire Eagle. Michael Lavery acknowledged that when he spoke to the reporter, because he had not heard anything to the contrary, he had assumed the town received confirmation that George will attend the STM. Michael apologized. The BOS stated that they were always on board that the Moderator, Town Clerk and School should be notified prior to scheduling the Special Town Meeting and indicated that this situation was an aberration. George stated that although he wants to attend, he is not certain he can attend. The Town Administrator indicated that he had arranged for an individual to attend the STM to serve as an Assistant Town Clerk if George cannot attend. George stated that he will provide a list of registered voters, and he will schedule election workers to sign-in those attending the STM.

George indicated that during early voting (in October 2018), he observed individuals setting up a "Meet and Greet" event for Paul Caccaviello (candidate for D.A.) in one of the Town Hall meeting rooms. He indicated that it is illegal for campaigning to occur in close proximity to the polls, including early voting, and he immediately stopped the "Meet and Greet" which relocated to the Fire Station. The BOS and Administrative Assistant acknowledged that at the time they did not consider that it is illegal to campaign in polling locations during early voting. George recommended that the Selectmen craft a Use of Town meeting room policy that addresses elections and early voting.

George provided an update on the Photovoltaic Zoning Bylaw amendment (from the 2018 STM) he had submitted to the Attorney General's Office. It was necessary for the town to file and post a 299 notice. The 299 notice was posted on the Town Hall required locations, and will appear in the Berkshire Eagle on December 21, 2018 which will begin the 21-day appeal period

6. Broadband Update

Bob Gross indicated that after the Broadband Ad Hoc Group sends information relating to costs Chris Lynch from Matrix design, he will send the Board of Selectmen a letter with an updated offer.

On December 28th, the Broadband Ad Hoc group will provide the language for STM Warrant Articles relating to Broadband. To serve as a cushion, it is likely that the Broadband Ad Hoc group will suggest asking for additional funding to allow the town to provide a more appealing subsidy/system to help increase the take rate.

7. BOS to review and possibly vote to select terms of a UniBank borrowing option to purchase a Rescue Pumper for the Fire Department

The BOS reviewed UniBank Fiscal Advisory Services, Inc.'s two-year, three-year, and four-year borrowing options for a fixed-rate Permanent State House Loan Note, dated February 1, 2019. The options listed the projected costs affiliated with borrowing \$225,000. The purpose of the loan is to purchase a new Rescue Pumper for the Fire Department. The Treasurer recommended selecting option number 1 (two-year) which has the least expensive borrowing costs. Michael moved to select UniBank's option number 1 (two-year fixed-rate Permanent State House Loan Note, dated February 1, 2019) to

borrow \$225,000 to pay for the Volunteer Fire Department's Recue Pumper. Nicole seconded. Motion carried unanimously.

Bob Markel recommended that the town create its own Official Statement (Bond Prospectus).

8. Police Chief's request to include a Special Town Meeting Warrant Article to purchase 3 mobile radios for the amount of \$1,860

The BOS discussed this under the next agenda item.

9. Discussion and possible vote re: other Special Town Meeting Warrant Articles

Bob Markel discussed a draft January 22, 2019 STM Warrant. The Police Chief's request to include a Special Town Meeting Warrant Article to purchase 3 mobile radios for the amount of \$1,860 was listed on the draft STM Warrant. The STM Warrant will be revised:

- Financial Transfer Article - There will be additional Financial Transfers listed (technology related).
- 72 Depot Street Easement Article - There will be language to keep a plan on file in the Town Clerk's Office
- There will be an additional Article re: Broadband Project funding.
- Bob Gross will provide wording for Broadband Project Articles
- Bob Gross will convey to the Board of Library Trustees that the Becket Athenaeum must provide dimensions for the easement relating to the Shared Septic System and Well for the Becket Athenaeum, Mullins House and Arts Center.
- To save on paper and mailing costs, rather than list the entire Zoning Bylaw on the Warrant, there will be an attachment of the Amendment to the Zoning By-Law replacing Section 6.6, Photovoltaic Installations.
- Bob Markel will add an Article to vote on specific funding amounts if the Citizen Petition relating to the Route 20 Spring passes.

The BOS will discuss and may vote to approve the 1-22-2018 STM Warrant on January 2, 2019.

10. BOS to review and possible vote to approve the Special Town Meeting Warrant

The BOS will discuss this agenda item on January 2, 2018.

11. BOS to review and possibly vote on sending a letter to the Town of Washington re: entering an agreement for Fire Protection Services (FY2020 through FY2024), and keeping the Parks and Beach fees the same for FY2020.

The BOS discussed a draft letter to the Town of Washington Board of Selectmen re: entering an agreement for Fire Protection Services. The letter proposes: 1) The Town of Becket will provide Fire Protection Services for five years effective 7/1/2018 that will include \$15,000 for FY2020, with a 3% annual escalator and 2) The Becket Parks and Recreation Department is agreeable to keeping the parks and beach fees the same for FY2020. The letter offers that the BOS is amenable to discussing an agreement for Becket to provide ambulance service. Nicole moved to send the Selectmen of Washington the letter regarding Town of Becket Fire Services and Parks & Recreation fees as read. Bill seconded. Motion carried unanimously.

12. Fiscal Year 2020 Budget Discussion

Bob stated that almost all departments have submitted their budgets and he anticipates providing a draft budget to the BOS during the third week in January. The town's health insurer, MIIA, had advised there will be no premium increase during Fiscal Year 2020. Bob had asked the town departments to provide level funded budgets except for uncontrollable increases (for instance, electricity). Bob indicated that wages will be level-funded and during

the budget process, the Board of Selectmen may determine whether the town can afford cost of living wage increases. Retirement assessment will increase by \$2,000 during FY2020; During FY2019, it climbed \$16,000.

Bob projects new revenue up to \$220,000 which the town may use to improve services. The Highway Department will try to hire one summer employee to assist with landscaping services in the North Becket Village. He discussed that that the town may want to analyze salaries so that it may retain town employees, town officials and successfully recruit employees. The Town has not been able to attract a Mechanic. The BOS submitted its budget.

13. BOS to vote on Winter Parking Ban from November 15 through April 15 (Annual)

Michael moved to henceforth adopt the below worded winter ban (so that it will not be necessary to vote every year on this). Nicole seconded. Motion carried unanimously.

From November 15th through April 15th, there will be no parking on town roads or streets between 11:00 p.m. until 7:00 a.m. Vehicles in violation of this ban will be ticketed and, if interfering with snow removal, will be towed at the owner's expense.

14. Board of Selectmen's Comments and Announcements

None

15. Town Administrator's Report

Bob provided an update on the following topics: Green Communities Final Projects, Energy Audit of Town Hall, Berkshire Managers Association Meeting, Cleaning Contract Estimate, Demolitions, Community Compact Agreement, and upcoming meetings.

16. Public Input

None

17. Any other business to come before the Board

Beverly confirmed that Michael will assist with the new website during February. The provider recommends changing to the Drupal Open Source platform (CivicCMS) by April 30th.

18. Correspondence

- **Dept. of Environmental Protection letter dated 11-21-18 regarding Small Town Environmental Partnership**
- **Central Berkshire Regional School District letter dated 12-14-18 re: invitation to Seven Town Advisory Meeting scheduled on 2-21-19**
- **Planning Board re: Notice of Public Hearing to review a Special Permit application submitted by Ashok Vaswani of 301 Franklin Avenue, Apt 118, Garden City, NY 11530 on behalf of their partner, Zelita Rocha, MD for a company operating as Plantus. The applicant's proposed activity is to allow relief from Becket Zoning Bylaws, Section 3.1.3, to operate an agricultural use, non-exempt, commercial greenhouse to organically grow and selectively harvest natural forest products at 0 Lane Road, Map 210, Lot 76.**
- **Planning Board re: Notice of Public Hearing to review a Special Permit application submitted by Alex Madjeski on behalf of T-Mobile/American Tower of 10 Prudential Way; Woburn, MA 01801. The applicant's proposed activity is to allow relief from Becket Zoning Bylaws, Section 6.4, to install a 50kW diesel backup generator to an existing cell site located at 57 Tower Road, Map 403, Lot 13.**

- **Attorney General's letter dated 12-5-18 addressed to Town Clerk re: acknowledging receipt of the Town Clerks Open Meeting Complaints (two).**

The BOS reviewed the above listed correspondence.

19. BOS to review and sign payable warrants

The BOS reviewed and signed payable warrants.

20. BOS intends to go into Executive Session under MGL Chapter 30A: Section 21 (a) 2 to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel, and to review and approve the December 11, 2018 Executive Session Minutes. BOS will not return to the regular session meeting.

Bill moved to enter into executive session under MGL Chapter 30A: Section 21 (a) 2 to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel and to review and approve the December 11, 2018 Executive Session Minutes. BOS will not return to the regular session meeting. Nicole seconded. Roll call vote: Bill Elovirta – Yes, Nicole Ledoux – Yes, and Michael Lavery – Yes. . At 9:10 p.m. the BOS entered into Executive Session.

Date Approved: 1/2/2019

Respectfully submitted,
Beverly Gilbert, Secretary


William Elovirta, Chairperson

Documents discussed at this meeting:

- Town Administrator Report
- Board of Selectmen's FY 2020 Budget request
- Mary Stucklen Resume and reference
- BOS letter to the Town of Washington Board of Selectmen re: FY2020 Fire Protection and Parks & Recreation Fees
- 12-11-2-18 BOS meeting Minutes
- Becket Chief of Police memo dated 12-17-18 re: Article for Special Town Meeting
- Berkshire County Management Association Monthly Meeting Agenda for 12-18-18 & handout of Pignatelli Chapter 90 Funding and Projections
- Correspondence as listed above
- UniBank Fiscal Advisory Services, Inc. 12-7-18 borrowing options for \$225,000 loan
- Special Town Meeting Warrant Draft
- Town Clerk's packets 1) SFRMD Voter Legal Opinion / Correspondence 2) documents related to the Town Clerk's open meeting complaints pertaining to the September 5, 2018 and October 3, 2018 Board of Selectmen's meeting.