

**Town of Becket
Board of Selectmen's Meeting
February 6, 2019
7:00 p.m.
Town Hall
557 Main Street, Becket**

Attendees:

Board of Selectmen: William Elovirta, *Chairperson*; Michael Lavery, *Vice Chairperson*

Staff: William Caldwell, *Town Administrator*; Bev Gilbert, *Administrative Assistant*

Others: Gail Kusek, Robert Ronzio, John Garvey, Peter Spotts (Country Journal), Will Rodgers, Bob Gross, Gabriella Michaliszyn, Maria Wallington, Chris Lynch (Matrix), Paul Merrill, Frank Perot, and Andre Sala

1. Call to order

Bill called the meeting to order at 7 p.m. Bob Ronzio (for Howard Lerner), Peter Spotts (Country Journal) and the BOS specified that they were recording the meeting.

2. Pledge of Allegiance

Bill led the Pledge of Allegiance.

3. Approval of Minutes

Michael moved to accept the 1-16-19 meeting minutes. Bill seconded. Motion carried.

Bill announced that yesterday Nicole Ledoux submitted her resignation effective immediately from the BOS due to that she moved to CT for employment. The BOS will operate with two members until after the Town Election.

4. Broadband Update

Bob Gross advised that the design is progressing. He has received four invoices totaling approximately \$12,000 for the make-ready. Dan Parnell has started talking to the Town Treasurer to ascertain what needs to be done for short-term borrowing. Bob reported that Bill Ennen recommends paying the invoices as they come in rather than delaying them for 90 to 120 days. Paying them earlier will give Bill Ennen leverage with the utility companies by providing them with incentive to ensure the work gets done. Bob Gross will submit payment for the invoices. Bob Gross indicated that the second disbursement of the state money in the amount of \$744,000 was received. The make-ready costs may total up to \$1.5 million dollars. The state has agreed to reimburse Becket for allowable overages on the make-ready. As soon as we finish the design, the Broadband Ad Hoc Group will meet with Bill Ennen and Westfield Gas & Electric to identify any areas that are questionable. After that occurs, Bill Ennen will send the design information and costs up the state's chain and he believes he will get a response within a month's time. At that point we will expect that 75% of the allowable make-ready costs, above the original budget, will be disbursed to us by the state. The remaining 25% will be reimbursed to the town after make-ready is complete.

Jeremy stated that EOHED will release the third disbursement when the town signs a construction contract. Jeremy explained that we do not want to sign a construction contract too early because the terms are only good for one year and we do not know when the make-ready will be completed.

Bill Ennen had told Bob Gross that the state will not release the third disbursement early. Jeremy advised that the town will need to come up with approximately \$750,000. Dan has discussed borrowing against the town's stabilization account and he stated that if we go that route, we are required to re-pay that money within a calendar year. Jeremy projects that we can continue to pay the make-ready invoices from the state's money and then when the new fiscal year begins, we will have run out of the state's money, we won't be eligible for the third trench of the state's money until after the construction contract is signed and we may borrow against our own stabilization which will be more economical than borrowing the money from a bank. This will help keep the interest costs down. The Broadband Ad Hoc Group would like to see the town pay as little as possible in short-term interest.

5. BOS to vote on authorizing Comcast make service available to homes in Becket that are not serviceable by Becket Municipal Light Plant/Westfield Gas & Electric

Bob Gross reported that Town Counsel thinks Comcast's proposal is fine and although he wants to tweak the agreement, there is nothing material to change. Town Counsel indicated that since TV services will be offered, there is a license that needs to be shown to us. Jeremy requested that the BOS vote on this matter so that Westfield Gas & Electric can alter (remove the premises involved) their design and this will help the town to receive a more accurate budget estimate. Bill moved to authorize Comcast to make service available to premises in Becket that otherwise would not be serviceable by the Becket Municipal Light Plant/Westfield Gas & Electric. Michael seconded. Motion carried. Bob Gross will draft a letter for the BOS to send to each of the seven premises with an explanation about what is happening and what is being offered to them with respect to broadband service.

The Broadband Ad Hoc Group indicated that Becket Woods' Annual District Road Association Meeting Warrant will have an article asking if residents will approve a modification of their bylaws to allow for short poles. Becket Woods will discuss poles, conduits, regular poles directly with Eversource. Because Becket Woods has expressed a strong interest in using short poles, Bob Gross will obtain from Westfield Gas & Electric an estimate of short poles to aid Becket Woods in their decision making. Becket Woods advised that it does not have a mechanism to collect payment from their residents. Town Counsel indicated that the town has the authority to invoice the individual premises.

The Broadband Ad Hoc Group will extrapolate costs from the Becket Woods area and use the figures to estimate other areas in town that have underground utilities.

Bob Gross indicated that perhaps the contractor will allow for homeowners to arrange for another entity to lay conduit. The town will likely require homeowners to provide a release to the town so that the town will not be responsible for work that the homeowners arranged.

Jeremy indicated that Bill Elovirta will meet with the Chief of Police and another member of the Broadband Ad Hoc Group to discuss the Police Chief's detail requirements (go over a list of roads) relating to the Broadband project. The goal of the meeting is to help refine detail costs relating to the budget.

The Broadband Ad Hoc Group anticipates discussing broadband policies (drop subsidies, etc.) with the BOS.

6. Discussion and possible vote(s) re: Route 20 Spring Closing

Bill indicated that there is no need for the BOS to take a vote. Michael advised that in September

of 2017, the BOS already had taken a vote. Bill stated that the BOS has done everything that the residents have asked, and the residents have spoken and conveyed their wishes at the Special Town Meeting 01-22-19.

Gail Kusek provided an update of her activities and plans, and indicated that it is her intention, under the non-profit organization called Becket Cares, to take over and become the Route 20 Spring operator. Many in attendance expressed their affinity to the Route 20 Spring, and their wishes for it to continue to supply drinking water. Comments also included that the town should not assume liability and expenses affiliated with the Route 20 Spring. Discussion ensued about Adam Hinds' Feb. 1st letter to DEP, and DEP's response dated Feb. 5th. Bill Elovirta read DEP's letter outlining the town's responsibility relating to the Route 20 Spring.

Gail indicated that once the spring is declassified, it cannot be re-opened. She indicated that the spring has the potential to re-open if it is inactivated.

Jeremy asked if the town faces lingering liability if the spring is re-opened.

Bob Ronzio indicated that the previous longtime tester (Bill Enser) of the Route 20 Spring lost his state water testing license because he was charged with falsifying test results and therefore it is not known how long Route 20 Spring has been contaminated. After the testing company was changed, analysis from the samples showed coliform was present. Bob Ronzio stated that it is not possible to know how long the spring has been contaminated and people with strong immune systems may not be impacted. He pointed out that we have scientific evidence proving the water is contaminated and that the spring has the potential for further and more detrimental contamination. Bob Ronzio also indicated that because of sightline distance issues and lack of parking, he personally would not imagine that the Planning Board would approve a special permit (which would be required for a private entity) to operate the Route 20 Spring. He pointed out that Route 20 is a state road and parking along a state road is prohibited (and dangerous at that particular location).

The BOS reiterated that the town faces fines if it does not adhere to DEP's consent order and that the BOS is charged with obeying the 01-22-19 Special Town Meeting vote. Bill Caldwell specified that he will carry out the BOS and Town Meeting instructions to make the Spring inaccessible. The Highway Superintendent will develop a plan to accomplish this.

7. Discussion and possible vote(s) re: Fire Truck Bond and Paperwork

Michael moved to approve the Unibank Fiscal Advisory Services, Inc. Municipal bond (Serial State House Loan Note) with the principal amount \$225,000 at an interest rate of 2.6% to pay for the Fire Department's Rescue Pumper. Bill seconded. Motion carried.

8. Town Administrator to discuss Town Hall Lighting

Bill C. advised that the town, through MassSave, will upgrade the lighting at the Town Hall, the Highway Garage exterior and Fire Station #2/Ambulance Bay which will save the town an annual savings of approximately \$3,600. This upgrade installation of LED lights will cost \$8,697.80. Bill C. provided three options to finance this project: Lump sum payment, off-bill repayment and on-bill repayment (OBR). Michael moved to accept the Town Administrator's recommendation to accept the \$362 on-bill repayment for 24 months to finance the upgrade lighting at the Town Hall, Highway Garage exterior and Fire Station #2/Ambulance Bay town locations. Bill seconded. Motion carried.

9. BOS to discuss the possibly support the draft Zoning Enforcement Officer's Notice of Violation for town-wide unregistered motor vehicles issue

Bill and Michael approved the draft Violation notice provided at tonight's meeting for the Zoning Enforcement Officer to send on March 1st to individuals with more than one unregistered motor vehicle on their property. Bob Ronzio and Bill Elovirta will suggest other properties for the Police Chief to add to his list for the Zoning Enforcement Officer. Those in violation will have until June 30th to come into compliance.

10. BOS to review and possible vote on Jacob's Ladder Trail Scenic Byway, Inc.'s request for a one-time \$100.00 donation

John Garvey, the town's rep. to the Jacob's Ladder Trail Scenic Byway Committee, discussed the Committee's request for a one-time \$100 donation from communities to help pay for operating costs. Michael moved to pay a one-time donation in the amount of \$100 from the Town Administrator Expense account or from the Selectmen's expense account to Jacob's Ladder Trail Scenic Byway, Inc.'s. Bill seconded. Motion carried.

11. Fiscal Year 2020 Budget Discussion

In order to complete the FY20 operating budget, Bill Caldwell awaits the school assessment, COLA for town employees, town employee/retiree health insurance estimates, and Governor's budget. The FY20 budget will include \$20,000 for summer Highway Department labor designated to tend to North Becket Village area. This winter there will likely be a snow and ice deficit: the Highway Crew has been out to plow, sand or salt the roads more than fifty times. Bill reported that the Finance Committee had discussed proposed changes to the town's financial policy.

12. BOS to discuss and possibly vote on 2018 Annual Town Report Items:

1) Report of the Board of Selectmen 2) Covers

The BOS agreed to submit the Selectmen's 2018 Annual Town Report as presented at tonight's meeting. The BOS decided to not display a photograph on the back cover.

13. Board of Selectmen's Comments and Announcements

Michael commented that tonight is the first time Bill C. is attending a Selectmen's meeting in his role as the Town Administrator, and he wishes to welcome him.

Bill Elovirta announced that Al Blake arranged for a meeting with Berkshire Eagle reporter Amanda Drane with Bill Caldwell, Al Blake and Bill Elovirta. Prior to the meeting, Al Blake had observed that a recent Berkshire Eagle article regarding the Special Town Meeting, included the Route 20 Spring but had no mention of the town's vote to modify the Solar Bylaw to come into compliance with the Green Communities Program. It is hoped that Amanda Drane will help increase Becket's news coverage.

After Bill E. pointed out that the Cherry Sheet reflects a decrease in the State's forest land PILOT from \$55,335 to \$43,315, the BOS will send a letter to State Rep. and State Senator to ask that they advocate to restore it to the FY19 figures.

Bill reported that Purr McEwen inquired if it is necessary for the Becket Washington Partnership to once again send representatives to discuss and request support of the Annual Becket Washington Fair (Brouhaha) scheduled this year on July 13th in the Washington Town Park. Michael and Bill agreed to convey that the Becket BOS supports the Becket Washington's July 13th Brouhaha, and it is not it is not necessary for a representative to attend a BOS meeting.

The Becket Board of Selectmen has proposed a five-year agreement specifying that effective 7/1/2019, the Town of Washington will pay an annual fee starting at \$15,000 plus a scheduled annual 3 percent cost of living increase for the next 4 years for Fire Protection Services. The Washington Board of Selectmen sent communication countering they are willing to pay an annual fee of \$13,750 plus 2.5 cost of living increases for the next 4 years for Fire Protection services. The Becket Selectmen will send a response stating that they propose an annual fee of \$15,000 and the cost of living increase may be reduced to 2.5 percent for 4 years.

14. Town Administrator's Report

Bill discussed an update of several items he has been working upon since his commencement in the position of Town Administrator:

- Transition from Bob Markel to himself
- Continued budget work alongside Bob Markel for FY20
- HVAC system for Town Hall – Bowman Engineering
- Work with RFP for Solar adjacent to Town Hall
- Green Communities Grant Close-out walk through and debrief
- Route 20 Spring
- Toured Town with Bill E.
- Reviewing 2018 annual Reports
- Exploring options for digital records
- Will be discussing Collins Center at UMASS Boston working on Budget presentation
- February Becket bulletin
- Visited Becket-Washington school with Michael for Jacob's Pillow presentation with students
- Master Schedule of Town employees

15. Public Input

The BOS indicated to Bob Gross that it will be acceptable for the Town Treasurer to process four make-ready invoices before the next Selectmen's meeting.

Bob Ronzio brought up Karen Karlberg's letter listed under Correspondence. Bill Elovirta advised that he had a conversation about this letter with the Chief of Police. The Selectmen agreed with the Police Chief's recommendation that it would be premature for the town to approach MassDOT regarding this matter. Planning Board Chairperson Bob Ronzio will send MassDOT a letter advising them of the permit issued to Ipswich Pharmaceutical.

Bob Gross, Bill E. and Bill C. will attend tomorrow night's I-90 Interchange Study (to consider adding a Mass90 exit between exit 2 and exit 3) Working Group Meeting in Lenox. Bob Gross asked what the BOS's position is on this. Currently the BOS do not have a position.

16. Any other business to come before the Board

There was none.

17. Correspondence

- Central Berkshire Regional School Dist. Superintendent letter dated 01-17-19 re: CBRSD Municipal Representative Meeting scheduled on 02-14-19.
- Karen Karlberg letter dated 01-25-19 requesting the BOS to petition MassDOT

- MassDOT letter dated 01-29-19 re: Surriner Rd/Mountain Pasture Brook Bridge No. B-03-047. MassDOT Highway Division has determined the maximum load which the subject bridge may safely carry and there is no posting required for this bridge. The BOS reviewed the above listed correspondence.

18. BOS to review and sign payable warrants

The BOS reviewed and signed payable warrants.

19. BOS to adjourn the Meeting

Michael moved to adjourn. Bill seconded. Motion carried. At 9:03 p.m., Bill adjourned the meeting.

Date Approved: 2-20-19

Respectfully submitted,
Beverly Gilbert, Secretary



William Elovirta, Chairperson

Documents discussed at this meeting:

- BOS Meeting Minutes for January 16, 2019
- Town Administrator's Report
- Letter dated 01-17-19 John Garvey, re: Jacob's Ladder Scenic Byway Advisory Committee
- MLP Manager's e-mail dated -1-19-19 re: proposal from Comcast, letter from Comcast dated 1-19-19 re : Request for Comcast Service, draft letter from BOS to Eileen B. Leahy, Government & Regulatory Affairs Comcast
- DEP letter to Senator Adams Hinds re: Becket route 20 Spring dated 02-05-19
- Letter from Bill Caldwell re: MassSave Upgrade Lighting options, and proposals
- Draft Notice of Violation re: unregistered vehicles
- 2018 Annual Report of the Board of Selectmen
- Unibank fiscal Advisory Services, Inc. Notice re: Municipal Bond for the Rescue Pumper
- Correspondence as listed above