

**TOWN OF BELCHERTOWN
BOARD OF SELECTMEN'S MEETING MINUTES
MONDAY, OCTOBER 21, 2019
Selectmen's Meeting Room, Lawrence Memorial Hall**



Present: Ed Boscher, Gail Gramarossa, Nicholas O'Connor
Absent: Jen D. Turner, Brenda Q. Aldrich

Call to Order: Chairman O'Connor called the meeting to order at 7:15 p.m. with the Pledge of Allegiance.

2) Sign Documents:

- a) Warrant #2017 was signed for \$1,656,678.14
- b) Routine documents
- c) Approval of Minutes: As two members were absent, the Board tabled approving the minutes until the October 28th meeting.

3) Additions to the Agenda:

4) Appearances Before the Board:

- 7:15 p.m. Hampshire Registry of Probate Clerk, Michael Carey: Mr. Carey was present for this discussion. He thanked the town administrator and the board for allowing him the time to come before them. Beginning next month and continuing on the first and third Thursday of each month the probate registry will host a satellite registry office at the Belchertown District Court at 205 State Street. The hope is that by having this service available in the eastern part of the county it will help to eliminate some of the concerns having to do with transportation and a lengthy commute to the Northampton Court House.

Their signature cases are divorces and the probate estates of deceased residents. Neither case makes for a joyful experience. There are probate categories and resources that people may find they are in need of or they need information about. Under that umbrella come legal matters such as adoptions, guardianships of adults as well as minors and children, the appointment of court conservators, and petitions for legal change of name. The last category is becoming quite active due to the real id's going into effect. By creating a presence in Belchertown, they hope to become a helpful resource by providing information about the various legal matters that are processed by the probate court by having the necessary documents to initiate a case as well as to accept and process cases for filing; for example estates. They also hope to do some of the other case categories that he mentioned.

He did advise that the satellite office is intended to serve as a link to the probate court in Northampton. It should not be thought of as a total substitute. There will be situations where accessing the courthouse for the probate court in Northampton will be essential. For example, in filing for a divorce at some point in time, a judge will be needed as well as a courtroom and they will have to go to Northampton. By having the services available in Belchertown, it may not totally

eliminate the need for people to go into Northampton but it may reduce back and forth treks to Northampton. They are hopeful that it will be a beneficial service to residents in Belchertown and surrounding towns. They hope to begin this on November 7th and will be active on the first and third Thursday of each month.

The Board thanked Mr. Carey for coming in to discuss this new service in town.

- 7:25 p.m. Judy Metcalf – Discuss Future Management of OPEB Funds – Quabbin Health District: Ms. Metcalf introduced herself, also present was Bill Pula, Chairman of the Quabbin Health District Board; LeeAnne Connolly, Board of Health Member and Mary Grenier, Senior Clerk for the Quabbin Health District.

They came before the Board to discuss OPEB. They had an actuary study done that shows they have sufficient funds in a line item, in their liability fund budget to handle their current liabilities. The OPEB is more pressing and one of her goals for this year is to formalize the system for it. They have settled on doing a trust; putting the money in a lockbox so it can't be used for anything else. It will be prudently managed. They are looking at the State Retiree Trust Fund. There has been a ripple effect with what happened with the Hampshire Council of Governments, and the chaos that it caused and they want to avoid that. They want to plan for worse case scenarios in case the Quabbin Health District was ever dissolved. They want to know who would take over the custodial aspects of that trust. It is not funding the trust but being the custodian of the trust.

She questioned if Belchertown would be willing to take on that role. This is a very preliminary step in moving forward. There would be three different lawyers involved, Belchertown, Ware and the Quabbin Health District would all have their own lawyer. They don't want to go too far into researching and developing trust documents if this isn't something Belchertown is willing to do.

They came to Belchertown first as Pelham is too small of a community to handle it. Belchertown has had consistent fiscal management. Ware has had a number of turnovers in their treasurer's office. In addition, even though we may have many employees who will be retiring soon we have many employees in the background who can step up and keep the continuity.

Mr. Boscher feels it sounds reasonable. He commented that it is amazing that they are 100% funded as no one else is. Ms. Metcalf reminded him that they only have three employees who would be able to collect health insurance on retirement. She also commented that she has shared this information with Lisa Banner, our treasurer-collector and it was her suggestions that the health district use Belchertown as the advisors. It was also the recommendation from the Ware town accountant. Mr. Boscher commented that if the numbers don't check out and would put the Town of Belchertown at a disadvantage we would not be interested.

Mr. O'Connor commented the Board would need to discuss this with Lisa Banner but it sounds reasonable. The District does not expect to be disbanded. Mr. Boscher commented the District could proceed to look at the next steps. Ms.

Connolly commented there are many towns and organizations in the State Retiree Trust Fund. Mr. Pula commented that Pelham would be grateful if the town would do this as Pelham is a very small town and they are not able to. Mr. Boscher doesn't think the Board needs to vote on this tonight as it is just in the preliminary stages. Ms. Metcalf indicated that the attorney from KP Law indicated he wants to hear from the town administrator and the treasurer-collector before he begins to do any work on this. Mr. Boscher indicated that Belchertown is willing to participate at this stage as long as there are no liabilities.

The town administrator questioned the next step. Ms. Metcalf indicated it would be checking with the State Retiree Trust, as they don't have standard declarations of trusts. They want you to have your own attorney's to draw one up. The next step is to ask if they will accept a trust that not names a custodian and trustees it also names a successor trustee. The lawyers will all have to agree on what will be required; would it be a vote of the Board to be a successor custodian, do all three towns need to agree to Belchertown being the successor custodian, does it take all three town meetings – there are many questions that need to be answered. The Quabbin Health District will get the answers to the questions and come back to the Board.

- 7:35 p.m. The Kopacz Corporation d/b/a Village Package Store – Change of Ownership Interest and Change of Manager: Chris Loud, Counsel for the Kopacz Corporation was present. The Village Package Store has been in town for a long time and is looking to remain in town for quite some years.

Mr. O'Connor confirmed this is a change in manager. He also confirmed the new manager is Samantha Haughey. He questioned if she had been through the TIPS training. She has not done it yet. Mr. Boscher questioned if she had a date in mind as to when she would get that done. She will do it once they get through another funeral. There was another family member loss on Friday. She will hopefully get it done in November or as soon as the next one opens. She works doing wine tastings and works with someone who can help her set the training up. Ms. Gramarossa believes there is an online version now and she should look into doing that. Mr. O'Connor interrupted to officially motion to open the hearing as it was posted as a public hearing. Mr. O'Connor moved to open the hearing. Motion seconded by Ms. Gramarossa. Motion passes 3 – 0.

Mrs. Kopacz informed the Board that her daughter, Samantha, has been working with her since before her husband passed away. She has done a fabulous job. Their store has never had to come before the Board due to any violations. She is a strong advocate in making sure things are running smoothly and that they have the appropriate employees behind the register making sales. Mr. Boscher questioned how the TIPS conflict could be resolved. Mr. O'Connor questioned if there is a time limit for when the manager needs to be changed on the license. Mrs. Kopacz responded that the town wanted it done as her deceased husband's name is on the license. Mr. Brougham commented that we wanted this all cleaned up before new licenses are issued January 1, 2020. Mr. O'Connor motioned that he would move the Board make the change of manager given the circumstances with the understanding that she would be attending the TIPS training prior to the license

renewal. Ms. Gramarossa agreed that it seemed like a reasonable timeframe. Ms. Gramarossa seconded the motion. Motion passes 3 – 0.

Mr. O'Connor moved the Board close the public hearing. Motion seconded by Ms. Gramarossa. Motion passes 3 – 0.

5) Discussion/Action Items:

- a. Amendment to Veterans' Agent's Retirement Date: Mr. Boscher presented the details. Ray Janke has pushed back his retirement date. His last day of work will be Friday, November 29, 2019. Mr. O'Connor moved the Board extend his retirement date to November 30, 2019. Motion seconded by Ms. Gramarossa. Motion passes 3 – 0.
- b. Accept Member Resignation from Town Common Lighting Committee: Ms. Gramarossa presented the details to the Board. Cindy Brown has submitted her letter of resignation from the Town Common Lighting Committee, effective immediately. The Board accepted the resignation and a thank you letter will be sent to Ms. Brown for her service to the town.
- c. Request to Close – Afternoon Before Thanksgiving (Wednesday, November 27): Mr. Boscher presented the details to the Board. Employees have submitted a request to close non-essential town offices at noon on the day before Thanksgiving, (Wednesday, November 27th). Employees will use their own vacation or personal time for this time off. Mr. O'Connor moved the Board allow the non-essential offices to close at noon, using their vacation or personal time. Motion seconded by Ms. Gramarossa. Motion passes 3 – 0.
- d. Request to Close – Annual Holiday Luncheon (Friday, December 13): Mr. Boscher presented the details to the Board. Employees have requested to close non-essential offices for the annual holiday luncheon. The luncheon will be held at the Belchertown Senior Center. Offices will be closed from 12:30 – 3:00 p.m. Mr. O'Connor moved the Board approve the request to close non-essential offices for the annual holiday luncheon. Motion seconded by Ms. Gramarossa. Motion passes 3 – 0.
- e. Endorse Mass Cultural Council FY20: Mr. O'Connor presented the details to the Board. We have received an increase of our funding to the Belchertown Cultural Council. It allows them to award grants to community members that apply for them in the area of cultural enrichment. Mr. O'Connor moved the Board authorize the Chairman of the Board to endorse the grant award so we can receive the funding. Motion seconded by Ms. Gramarossa. Mr. Boscher commented that he is really impressed with how the cultural council has grown over the years. It is awesome to see that they are getting additional funding. Mr. Boscher called for a vote. Motion passes 3 – 0.
- f. Authorize Name Change to Include Broader Scope – BOAT: Ms. Gramarossa presented the details to the Board. A request has come in from the group current known as BOAT – Belchertown Opioid Awareness Task Force. Due to ongoing recent conversations, they want to look at other substances and issues around substance abuse and prevention, treatment and recovery. They have been talking about issues related to marijuana, vaping and alcohol. They are looking change their name to offer assistance and awareness on a broader scope. The new name would be Belchertown Overcoming Addiction Together. Ms. Gramarossa feels the new name makes sense and moved the Board approve the request for the name

change to Belchertown Overcoming Addiction Together. Motion seconded by Mr. O'Connor. Motion passes 3 – 0.

- g. Appointment of Heavy Equipment Operator II: Mr. Boscher presented the details to the Board. Steve Williams, Director of Public Works is seeking the appointment of a heavy equipment operator. Mr. O'Connor moved the Board appoint John Panzetti to the position of Heavy Equipment Operator II, effective immediately. Motion seconded by Ms. Gramarossa. Motion passes 3 – 0.
- h. Endorse State House Note #1000 – FY2019 for Capital Expenditures: Mr. Boscher asked the town administrator to summarize this discussion. The State House Note that the treasurer-collector is asking the Board to endorse the capital bond that was authorized by town meeting in 2018. Of the 1.5 million dollars that was authorized \$400,000 has not been drawn down. There is still some ongoing work consequently; Ms. Banner is looking to bridge the gap. She is requesting the Board's consideration to sign the document for one year at a rate of 1.67%. There are three documents for signature – the state house note #1000, certificate of town clerk and certificate and designation.

Mr. O'Connor moved the Board endorse State House #1000, which is the issuance of a note in the amount of \$1.5 million for one-year at a rate of 1.67%. Motion seconded by Ms. Gramarossa. Motion passes 3 – 0.

Mr. O'Connor motioned the Board sign the Certificate of Town Clerk that certifies the borrowing authorization per town meeting. Motion seconded by Ms. Gramarossa. Motion passes 3 – 0.

Mr. O'Connor moved the Board sign the Certificate and Designation that shows tax exemption requirements of the Internal Revenue Service. Motion seconded by Ms. Gramarossa. Motion passes 3 – 0.

- i. Miscellaneous Matters: Mr. O'Connor asked that at the next regularly scheduled Board of Selectmen meeting of October 28, 2019 that a quick discussion and vote to dissolve the Skate Park Committee be added to the agenda. He has spoken to both the Recreation Committee and Skate Park Committee. the only thing they asked that if there are skate park committee matters or business that it come before the board of selectmen and not the recreation department as they are not in charge of it.

- 6) **Town Administrator's Report:** The Veterans' Agent Search committee met last week. They were hoping to begin interviews tonight and tomorrow night. Once they had the list of applicants they wanted to interview it was brought to their attention that the State has a very time consuming veterans' training State wide and we were not able to interview. Preliminary interviews are now scheduled for November 4th. He hopes the committee can make a recommendation of a short list for the board to interview. The Board may need to schedule a special meeting.

On Thursday evening, he and Ms. Gramarossa attended the second Community Outreach forum for the American Cannabis Company. They are proposing to open a cannabis shop at 55 Main Street. Just as with their first meeting, there was a lot of missing information and it wasn't very cohesive. He heard rumors that they have changed their name so he questioned their attorney. It was confirmed their name is

now 55 Main Street. They are coming to the Board of Selectmen's November 4th meeting to talk about a host agreement. He is not sure how prepared they will be at that time.

Mr. O'Connor had questions mostly for clarification purposes. He questioned how many signed host agreements we have. There are two signed retail agreements and one signed cultivator agreement with another cultivator host agreement not yet signed. It does not give them license to operate in town but is the first step in the process. They must go through the planning board for a special permit. They then need to be approved by the State.

One of the more contentious retailers is the one that wants to open across from the town common. There is no host agreement from the proposed owners and they have nothing completed yet.

He has also been questioned as to how many marijuana shops are there going to be in town. At various times there have been votes at both the State level and the town level and more than 70% of the voters endorsed the concept of legalizing cannabis both for recreational and medicinal purposes. The town worked with the planning board to tie the number of licenses to the ABCC and how many liquor licenses are available in the town. It was intended to be tied to full liquor licenses of which the town has three full liquor licenses not to be confused with beer and wine licenses. He wants to revisit it with the planning board, as there needs to be a definitive cap on the number of marijuana shops in town. The intent was to cap the retail marijuana shops at three, which is the same as the ABCC full liquor license. Cultivation is slightly different and will be talked about later.

7) **Review of Weekly Mail:** Reviewed, no discussion held.

8) **Individual Board Members' Reports:**

Ms. Gramarossa: On Monday, October 28th, she will be attending a workshop session around the age friendly / dementia friendly community concept.

She also reminded residents that on November 2nd there is another meeting for the solarize Belchertown project. It is a meet the installer night. Northeast Solar is the chosen installer under the State program. The meeting will be here at town hall at 7:00 p.m. in the newly upgraded auditorium.

Mr. O'Connor: They had a good Recreation Committee meeting last week. There is some interest from a group willing to work on a fundraiser for the disc golf course. Recreation is working with Conservation on flagging the area for the disc golf behind Constantino Field. He has some logistics to work through so he can get the students from Pathfinder to come out and work on clearing the area.

He is working with the cultural council and several other groups trying to get a Music Festival together for the spring. He would like it to be an annual occurrence. It will be another cultural council type of event. To make it more regionally focused and not just town focused they are going to call it Belcher Sound. They will have food trucks

and will be talking to some of the local breweries and distilleries. It will be an all-day type of thing.

Mr. Boscher: The Board had a very productive meeting with the finance committee last week. During one of the upcoming Board meetings, they will begin to hash out exactly what the Board's responsibilities look like during the budget making process.

He gave a shout out to the Belchertown Education Foundation. They had a very successful fundraiser on Saturday night.

He has reviewed the town's disaster preparedness plan so it will be time for the town administrator, the fire chief and himself to get together to freshen things up a little bit and figure out the next steps from there.

He has also put together the initial points on the succession plan. He will review them with Selectmen Turner and then he will bring it before the Board for a first round of conversation.

** Mr. Brougham mentioned that the new council on aging van was delivered last week but he has not seen it. He believes it will be in service soon. The council on aging raised \$37,000 to go towards it.

9) **Questions from the Press:** None.

10) **Adjournment:** Meeting adjourned at 7:50 p.m.

Minutes submitted by Gary L. Brougham, Town Administrator

Board approved/endorsed: 10/20/15

Board of Selectmen - Town of Belchertown

Endorsed by a majority:




Ed Boscher, Chairman

(absent)
Brenda Q. Aldrich



Gail Gramarossa

(absent)
Jen D. Turner



Nicholas O'Connor