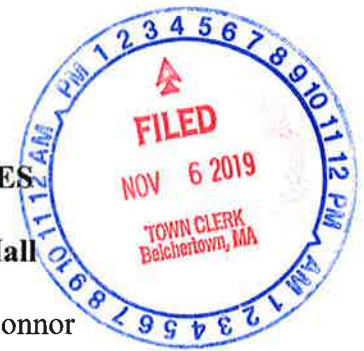


**TOWN OF BELCHERTOWN
BOARD OF SELECTMEN'S MEETING MINUTES
MONDAY, OCTOBER 28, 2019
Selectmen's Meeting Room, Lawrence Memorial Hall**



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

Call to Order: Vice-Chairman Gramarossa called the meeting to order at 7:15 p.m. with the Pledge of Allegiance.

2) Sign Documents:

- a) Warrant # 2018 was signed for \$3,117,263.91
- b) Routine documents
- c) Approval of Minutes: Ms. Turner moved the Board accept the minutes of September 23, 2019 and the October 7, 2019 minutes as presented. Motion seconded by Ms. Aldrich. Motion passes 4 – 0.

3) Additions to the Agenda: None.

4) Appearances Before the Board:

- 7:15 P.M. High Peaks Dispensary LLC – Marijuana Host Agreement: Jeremy Moon, Daniel Douglas and Attorney Isaac Fleisher were present for the appearance. Attorney Fleisher reminded the Board that High Peaks Dispensary was before the Board at their October 7th meeting. The only concern at that time was that the host agreement was drafted as a retail business instead of cultivation and manufacturing. There were also some adjustments to the charitable donations. He worked with the office staff to make the revisions as mentioned. There is no dispute over it, they are very happy with the host agreement and look forward to moving forward in the process.

Ms. Gramarossa mentioned that the notice for the community outreach did not make it into the *Sentinel* at one point so the outreach is being held this Friday instead of last week. Mr. Moon confirmed that was correct. They wanted to make sure they were in compliance. They had sent the notice to Turley Publications but the woman who takes care of it was on vacation and the paperwork wasn't forwarded so the original notice did not make it into the paper. When she came back from vacation, she couldn't get the notice in on time so they decided to hold off until the following week. It will be November 1, 2019 at 6:00 p.m. at their facility at 401 Mill Valley Road. Mr. O'Connor had planned on attending but with the change of date, he will not be able to. Ms. Gramarossa is hoping to get to the meeting.

Mr. Brougham commented that the Board had discussed holding off on endorsing the host agreement until after the community outreach meeting but through no fault of High Peaks the original notice was not posted. He felt it would be beneficial to carry on with the schedule knowing that any particular concerns that may be raised would be done at the outreach meeting and addressed in the special permitting process.

Ms. Turner mentioned the charitable contributions as the Board has said they would discuss them and they haven't done so. Mr. Brougham commented that the last time this was discussed he had asked specifically if that was something going forward and it was his understanding that this host agreement would be as presented but going forward the Board would look at the list of possible charitable donations. Mr. O'Connor commented the Board should probably formalize that process but he doesn't want to hold up this host agreement. Ms. Gramarossa mentioned the charitable donations in this agreement are going to BOAT, SOAAR, Belchertown Family Center, Clapp Memorial Library Summer Reading Activity Program, and Belchertown Police Department K-9 Program. The Town appreciates those contributions and the town knows that they are voluntary on their part.

Mr. O'Connor moved the Board approve and endorse the High Peaks Dispensary, LLC Host Agreement. Motion seconded by Ms. Aldrich. Motion passes 4 – 0.

5) Discussion/Action Items:

- a. Discuss Skate Park Committee: Mr. O'Connor gave a quick overview on the Skate Park. The town had reopened it in the spring after deciding that there was limited liability as it is now posted to skate at your own risk. As such, he wanted to disband the formal Skate Park Committee as it reports to the Belchertown Board of Selectmen. He discussed it with the Recreation Committee as he thought it might be a natural place for it to go. The Recreation Committee had a very good point – they are concerned, as is the Recreation Director that having the skate park appear at their meetings it is going to create a false sense that the Recreation Committee is overseeing the skate park. It will give an appearance of liability that the town doesn't actually have or control. The skate park committee wants to continue with their fundraising operations so they will be built into the Friends of Recreation as a fundraising group. If there are skate park issues like trash or its not being utilized correctly or something needs to be repaired, it is his recommendation along with the Recreation Committee that those issues come to the Board of Selectmen.

Mr. O'Connor moved to disband the Skate Park Committee. Motion seconded by Ms. Turner. Motion passes 4 – 0. He will reach out to Michelle Ricker to let the skate park committee members know the committee has been disbanded. If they wish to get on an agenda to discuss this, they should call the Selectmen's Office.

Ms. Gramarossa questioned if the Friends Group is going to be looking at bolstering their own communications so that people will know it is a place that people can make a donation for the skate park. Recreation Committee member, Chris Shea, has been appointed to the Friends of Recreation as the liaison for the recreation committee and is in contact with BOA. There are a couple of groups in town that are fundraising that are not 501C-3 status and those should be cleaned up. You can align with another group and the skate park can be combined with the Friends of Rec. Chris Shea is ready to start that group back up.

- b. Accept Resignation from Meals on Wheels Driver: Ms. Gramarossa presented the details to the Board. The Board accepted the resignation of Norbert Delage as Meals on Wheels Driver, effective immediately. A letter will be sent thanking him for his service to the Town.

- c. Appointment of Meals on Wheels Driver: Ms. Gramarossa presented the details to the Board. Per the recommendation of Jessica Langlois, Executive Director of the Council on Aging, Ms. Gramarossa moved to appoint Patricia Nellis to the position of Meals on Wheels Driver, effective immediately. She had applied when the position was posted. Motion seconded by Ms. Aldrich. Motion passes 4 – 0.
- d. Appointment of Heavy Equipment Operator I: Mr. O'Connor presented the details to the Board. Per the recommendation of Donna Lusignan on behalf of Steve Williams the Director of Public Works, Mr. O'Connor moved to appoint Joshua Miller to the position of Heavy Equipment Operator I, effective immediately. Motion seconded by Ms. Turner. Motion passes 4 – 0.
- e. Review/Approval Social Media Policy: Mr. O'Connor reminded the Board of all the discussion that they've had regarding the social media policy. The Board has talked about it a lot over the last year. It was initially reviewed by department heads and following that, committee heads were included. It was refined following all the feedback and sent it to legal counsel. Legal counsel made two major changes one of which the Board decided they would not restrict the advertising the vendors that we use in town particularly for things like the fair and the food trucks, as it's an important draw. In addition, by recommendation of town counsel our social media will be one way meaning it will not be open to comments. We will be able to broadcast communication but it won't be a bi-directional thing. Those were the two major changes and they have been seen by everyone. He was of the opinion that the Board is ready to proceed forward with enacting the social media policy. He has shut down his candidate page on Facebook getting ready to comply with the policy.

Once the Board approves it today it will not necessarily go into effect today as a period of time will be needed to establish procedures in order to meet the policy. He will talk to the IT Director to talk about archiving and things like that. The Board will be accepting the policy as final draft but not voting to implement it today.

Mr. O'Connor moved the Board accept the most recent final draft of the policy with more work to come for implementation. Motion seconded by Ms. Aldrich. Motion passes 4 – 0. Ms. Gramarossa commented that employees in town should start to think about their own personal social media and how they've been using it, as they will have to comply with the new policy. Mr. O'Connor commented that there would be training in order to compliant with the policy.

- f. Review ZBA Side Yard Variance Application – VE Properties VII, LLC, 65 Mill Valley Road: Ms. Turner presented the details to the Board. They are looking to construct a two-car garage with a connector to the home. The required side-yard variance is 20 ft. they are asking for a 14.9 ft. variance. Mr. Brougham added that the garage would be added to the west side of the home because the lot has somewhat of a downward slope. He disclosed that he is an abutter to the property, not directly but two houses down. He has reviewed the plan and it makes sense. There is one abutter on the east side that would be directly impacted. The ZBA will hold their hearing and they should address any comments or concerns. The application submitted to the planning board is more professionally prepared than most of the ones that we see. The Board will remand the application back to the ZBA
- g. Review ZBA Appeal ZEO Decision – Carol Griffeth (Re: Leboeuf, 6 Green Avenue): Ms. Turner presented the details to the Board. This is an appeal of the zoning enforcement officer's decision at 6 Green Avenue. Ms. Aldrich recused herself from this

discussion. The petitioner, Carol Griffeth, lives across the street from this residence. The resident at 6 Green Avenue has several animals that Ms. Griffeth has complained about to the Board of Health and the Zoning Enforcement Officer. They have said she is allowed to have animals on her property. Ms. Griffeth is appealing due to excessive odor coming from that property.

Mr. Brougham commented that this has been an ongoing issue for awhile. Initially the owner of the farm animals did not have adequate square footage but acquired another parcel of land. Ms. Griffeth doesn't feel the animals are being properly cared for, or there is an excess in the number that might be better managed on the site. The board of health, the board of assessors, town planner, conservation commission and most recently the zoning enforcement officer have all had inspections of the property and for the majority of those visits were opinions that the owner of the animals is in compliance. Ms. Griffeth feels that there are mosquitos, bugs and odors that shouldn't be allowed to on the property. She previously went to appeal the decision of the zoning enforcement officer but found out she missed the deadline to appeal. She initiated a second opinion from the zoning enforcement officer that he gave. She promptly filed her appeal this time asking the ZBA to closely review the decision and to ideally overturn the decision of the zoning enforcement officer.

Mr. Brougham feels she might want to consider going to the animal control advisory board, as they are more understanding of farm animals. The applicant however decided to go through the zoning board of appeals.

The Board of Selectmen will remand the request back to the ZBA for their review. That hearing will be held on November 20, 2019.

***** Mr. Boscher arrived at the meeting at 7:36 p.m.**

- h. Surplus of Fire Apparatus: Ms. Aldrich presented the details to the Board. Fire Chief Bock has asked the Board to surplus fire apparatus. The vehicles are a 1983 GMC truck and the second truck is a 1995 International Rescue truck. He is also asking that in surplusing these vehicles if he can maintain the monies for these vehicles to be able to sponsor one of their basic Emt's to attend paramedic school. Mr. Brougham presented some background on the reason for the request to maintain the money. If the Board does agree to it they should include in their motion that the do so in without setting a precedent. The Board may want to entertain requests such as this on a case-by-case basis.

Mr. O'Connor questioned where and to whom vehicles are sold when the Board surpluses them. He was told they are advertised and sold to the highest bidder.

Ms. Aldrich moved the Board surplus the vehicles. Motion seconded by Ms. Turner. Motion passes 5 – 0.

Mr. Aldrich moved the Board grant Fire Chief Bock's request to maintain the monies to be used to sponsor one of their basic EMT's in paramedic school and not setting a precedent going forward with the sale of future surplus vehicles. Motion seconded by Mr. O'Connor. He then questioned if this is something the town has done in the past. Ms. Aldrich is not aware of the Board having done this previously. Mr. O'Connor is

concerned about setting a precedent. Mr. Boscher commented the vehicles were put into service through some sort of loan program through the town's budget process. He is not opposed to finding uses of the money to the fire department he shares Mr. O'Connor's concerns. Ms. Aldrich withdrew her motion. The proceeds from the sale of the surplus vehicles will go back into the general fund. It will be discussed at budget time.

- i. Miscellaneous Matter: Mr. Boscher questioned how the skate park committee discussion went as he arrived late. He was told the skate park was formally disbanded with any issues to come before the board of selectmen so no potential impression is created that it is managed by the recreation department. The Friends of the Rec was also talked about for fund raising for the skate park.

He also asked for confirmation on the social media policy was formalized. He was told the policy was accepted as final draft but will not be implemented until procedures and training are in place.

Mr. O'Connor moved to accept the minutes of the Board's meeting of October 21, 2019. Motion seconded by Ms. Gramarossa. Motion passes 3- yes, 2 - abstain (Turner, Aldrich).

- 6) **Town Administrator's Report:** He is aware the Board members have been receiving calls regarding the ongoing construction of Carriage Drive and Jackson Street. The delay has been for just cause as there have been concerns about design and liability. It has taken months of discussions and peer reviews but an agreement has been reached. Carriage Drive will be paved in its entirety on November 18th as will the intersection with Jackson Street. It will be from the tracks down to where the pavement was disturbed with the intersection project. Paving above the tracks will be done in the spring. He explained in detail what still needs to be done. The intent is to have Carriage Drive open to the public on or about November 25th or 26th. Mass Development and the EDIC will be coming to the selectmen's meeting the Monday before Thanksgiving to talk about the official opening of the road.

New England Central Railroad has approached the town about closing Jackson Street for three days and possibly four to rebuild the railroad crossing. The road will be closed during the daytime and open at night. They will be ripping the tracks right out so it is important that Carriage Drive is open to alleviate some of the detour traffic.

Some people may not be in agreement with the detail of the intersection at Jackson Street and Carriage Drive with the sharp turn and the stop sign. Current designs mandate that there is a right angle intersection and where the focus of the project was to have Carriage Drive become the through street it makes more sense to have the vehicles stop at the end of Jackson Street.

Some testing was done last week and there were a few unintended fire alarms. Six or seven locations had alarms set off.

On Monday, November 4th the Veterans' Agent Search Committee will be doing the first round of interviews for the new veterans' agent. He suggested that the Board meet very soon after these interviews and hold a special meeting to conduct the interviews for the finalists. It will be Thanksgiving before we know it Mr. Janke's last day of work is

November 29th. After comparing calendars, it was decided the Board would hold a special meeting on Friday, November 15th to conduct final interviews beginning at 5:00 p.m.

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

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

Ms. Aldrich: She and Ms. Gramarossa worded at the fall library book sale. It was a great success for the Friends of the Library.

Saturday the police department did the Drug Take Back that was very successful. They wanted to remind everyone there is always a container at the police department where you can leave your unused medications.

Officer Brougham was all over this weekend with the K-9's. He was at Texas Roadhouse and in town. As always, they did a great job.

Mr. Boscher: It's been a busy couple of weeks. He is still working on all those projects and hopefully he will have a report back to the Board before Thanksgiving.

He failed to mention that Massachusetts School Building Assistant (MSBA) sent a large contingent out here to look at Jabish Brook Middle School. They asked many questions and outlined the scope of what they are looking for. They are looking to see if renovations can be done at Jabish Brook or if it needs to be knocked down. If we are part of that program, we will have to come up with funding to pay for a feasibility study. That study looks at all options from renovations to a new building.

Ms. Turner: She's been away. She knows that Cindy Brown resigned from the Town Common Lighting Committee. She questioned if there were still members on that committee. She was told that there were two but as of 5:00 p.m. today, there is now only one member left. She questioned if the Board should figure something out.

She met with Claire O'Neil and Doug Albertson a while back and was supposed to meet today but Claire had to cancel. They will now meet on November 6th to talk about economic development in town.

The cultural council needs storage space. They need a closet and any help would be appreciated. The chair of the cultural council is supposed to provide a full inventory list to Mr. Boscher. Once he has that options will be reviewed.

Mr. O'Connor: Belchertown Educational Foundation had their fundraiser and they raised over \$30,000.

Jeff Gould our music teacher has made it to the top 25. He has been nominated for a Grammy award for music educator of the year. Best of Luck to him.

The Family Center is visiting the Senior Center on Thursday at 10:50 a.m. The children will be dressed in their Halloween costumes.

The tennis courts are coming down. The main structure is down now. The asphalt still needs to be dealt with but we are waiting for some testing to be done.

The pool at Chestnut Hill Community School is currently closed. There have been some maintenance issues. It is scheduled to open back up on October 30th.

Ms. Gramarossa: She thanked Ms. Aldrich for mentioning the drug take back and that residents can drop off unused medication at the police department. There is also a syringe drop off at town hall.

Happy Halloween to everyone. Reminded everyone that the Lions Club will be doing the Rag Shag Event again this year on Halloween night at 6:30 p.m. at Chestnut Hill Community School.

Reminder that the craft fairs will be happening on Saturday, November 2nd.

On November 7th there will be another meet the installer for the Solarize Mass project. It will be from 7 – 9 pm here at town hall in the auditorium.

- 9) **Questions from the Press:** Steve Hill from *The Sentinel* asked for a copy of the social media policy. A copy will be given to him.
- 10) **Adjournment:** Meeting adjourned at 8:15 p.m.

Minutes submitted by Gary L. Brougham, Town Administrator

Board approved/endorsed: 11/4/19

Board of Selectmen - Town of Belchertown

Endorsed by a majority:

Ed Boscher, Chairman

Gail Gramarossa
Gail Gramarossa

Nicholas O'Connor

Brenda Q. Aldrich
Brenda Q. Aldrich

Jen D. Turner
Jen D. Turner