

**TOWN OF BELCHERTOWN
BOARD OF SELECTMEN'S MEETING MINUTES
TUESDAY, OCTOBER 11, 2016
Selectmen's Meeting Room, Lawrence Memorial Hall**



Present: George D. Archible, Brenda Q. Aldrich, Nicholas O'Connor, Ronald E. Aponte
Absent: William R. Barnett

Call to Order: Chairman Archible called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

2) Sign Documents:

- a) Warrant #1715 was signed for \$526,836.03.
- b) Routine documents
- c) Approval of Minutes: Mr. O'Connor moved the Board accept the minutes of September 12, 2016. Seconded by Ms. Aldrich. Motion passes 4 – 0.

3) Additions to the Agenda:

4) Appearances Before the Board:

- 7:33 p.m. Pole Hearing #2017-03, Stadler Street: Mr. O'Connor read the public hearing notice and opened the hearing. It is to place a total of four jointly owned poles on Stadler Street to provide for the distribution of intelligence and telecommunications, and for the transmission of high and low voltage electric current.

Andy Hufnagel was present on behalf of Verizon. He indicated the site has been reviewed by the Verizon engineer as well as the power company engineer. He also has a letter from the Director of Public Works with his comments. The project is underway and they are looking to have the poles placed as soon as possible.

James Boyko, a business owner abutter, objects to pole placement of T7 and T8 which are adjacent to his facility, Mill Valley Splicing. He feels that the project that this service will be provided to has changed the dynamics of Stadler Street. He is concerned that the additional traffic from the daycare will disallow loading and unloading trucks in the street.

Mr. Hufnagel indicated that he understands what Mr. Boyko is saying about the changing dynamics of the street with this new business but feels it has nothing to do with the petition. The concerns are about possible future expansion. He stated the cable height will not in any way interfere with any tractor trailers coming in. There are height requirements that have to be met and the poles will be on town right of ways and not private property. Mr. Hufnagel feels the proposed location will not impact Mr. Boyko's lot and feels the Town should allow placement of the poles.

Mr. Aponte asked Mr. Boyko to clarify his concerns. He stated it was not for the cable height but for the pole locations and there is no mention of guy wires being needed. Mr. Aponte confirmed the concern was regarding the turning radius. He also questioned Mr. Hufnagel about the use of guy wires. He was told that there will be anchors but the anchoring will be on town property not private property.

Alan Clark, owner of the daycare stated that the majority of the traffic from their business will be between the hours of 7:30 am – 8:30 am and then again from 5:00 pm – 5:30 pm. Their traffic will not interfere with truck deliveries for Mr. Boyko's business. He does not believe that the pole placement will interfere with their loading docks.

Ms. Aldrich questioned if anyone had walked with Mr. Boyko regarding the pole placement. He stated no one had been in contact with him regarding it. He indicated that they have not had time to review the submitted petition. He believes the pole placement will hinder their access plans. Ms. Aldrich questioned if Steve Williams could go and look at Mr. Boyko's concerns.

Mr. Aponte questioned if the Boyko's should be given the opportunity to have their concerns looked at. It doesn't mean that it will change the placement of the poles but at least they will have their concerns addressed.

Mr. Clark indicated this issue has been ongoing for months. He cannot wait an additional two weeks for the pole hearing to be approved. Mr. Boyko feels the applicant should have started the process earlier to circumvent this last minute concern.

Mr. O'Connor stated he is more concerned with affecting a business that is in the process of opening rather than affecting future plans of a driveway that may or may not happen. Mr. Archible was in agreement.

Mr. Aponte feels waiting two weeks to allow further review is in order. He wants to make sure the Board makes the right decision. Mr. Clark disagrees with Mr. Aponte.

Mr. Archible proposed continuing the hearing. Mr. O'Connor feels delaying is a waste of time.

Mr. Aponte moved to continue the hearing until October 24th at 7:33 p.m. Seconded by Ms. Aldrich. Tie vote – 2 – yes (Aldrich, Aponte), 2 –opposed (Archible, O'Connor).

Mr. Archible asked if it would be possible to get Steve Williams to come to the meeting. Mr. Brougham wasn't sure what he hoped to accomplish in having the Director of Public Works come in. He stated that putting the cables underground is not an option. Placing the poles on the other side of the street changes the whole intent of this petition and is not really an option as healthy trees would have to be cut down which would require a public hearing. Mr. Brougham questioned if Mr.

Boyko was opposed to having the poles on his side of the street. Mr. Boyko indicated he would rather not have any poles on his side of the street. Mr. O'Connor felt the Board should close the hearing and accept the recommendations as delineated.

Mr. O'Connor moved the Board close the pole hearing taking into consideration all the recommendations of the department of public works, Belchertown Water District and all the professionals that have been involved. Seconded by Mr. Archible. Tie vote – 2 yes (Archible, O'Connor), 2 – opposed (Aldrich, Aponte).

Mr. Aponte moved the Board continue the hearing until Monday, October 17th at 7:30 p.m. so as to reduce the possible delay to Mr. Clark's business. Ms. Aldrich stated she is now rethinking the concerns. She is now hearing the Mr. Boyko is not concerned about the fact that he wasn't part of the site visit but that he is concerned with the pole placement because of something he might do in the future. Ms. Aldrich stated she was going to abstain from this vote as she does not know where the discussion is going.

Mr. Aponte withdrew his motion. Mr. O'Connor moved the Board close the hearing and accept the plan as presented. Seconded by Mr. Archible. Motion passes 2 – yes (Archible, O'Connor), 1 – no (Aponte), 1 – abstain (Aldrich).

5) Discussion/Action Items:

- a. Reissuance of Bonds: Mr. Aponte presented the details. Ms. Banner, Treasurer-Collector looks at existing debt and checks to see if she can find a better financial obligation for the town to reduce interest payments. She is recommending refunding and re-issuing four current projects and tying it in with the roadway construction at the Belchertown State School grounds. The Town should realize a projected interest savings of \$50,400 with refinancing the fiscal '05 and '08 bond issues.

Mr. Aponte moved the Board endorse and authorize the Town Treasurer-Collector to reissue the old debt as well as the new debt in the amount of \$2,475,000. Seconded by Mr. O'Connor. Motion passes 4 – 0.

Mr. Brougham, Town Administrator stated that by doing Ms. Banner is proposing our bond obligation will remain essentially the same as it is currently even though we will be adding in the money for the road for the assisted living facility. He also stated that the owner of the Grantham Group is expecting to break ground in March of 2017 if the winter permits and if not then in April 2017 with occupancy within a year.

- b. Right of First Refusal – Gaouette & Randon, Map 279, Lot 12.00, South Washington Street: Mr. Aponte presented the details. The Planning Board and Conservation Commission have recommended that the Board of Selectmen not exercise their right of first refusal.

Mr. Aponte moved the Board decline their right of first refusal for property located on Map 279, Lot 12.00, South Washington Street. Seconded by Ms. Aldrich. Motion passes 4 – 0.

- c. Reassign Membership – Conservation Commission: Mr. O'Connor presented the details to the Board. David Haines, Chairman of the Conservation Commission is recommending having Linda LeDuc's membership reassigned from a full member to an associate member, term to expire 6/30/17; he also recommending reassigning Nicholas Burns from associate member to a full member, term to expire June 30, 2017. Seconded by Mr. Aponte. Motion passes 4 – 0.
- d. Appointment of Member to Housing Authority: Ms. Aldrich presented the details to the Board. Ms. Aldrich moved to appoint Judith O'Klusky to the Housing Authority, term to expire on the next town election (3rd Monday of May 2017). Seconded by Mr. Aponte. Motion passes 4 – 0.
- e. Appointment of Member to Patrick Center Re-Use Committee: Mr. O'Connor presented the details to the Board. The school committee representative had resigned and the committee is recommending that member's replacement. Mr. O'Connor moved to appoint Michael Knapp to the Patrick Center Re-Use Committee. Seconded by Mr. Aponte. Motion passes 4 – 0.
- f. Appointment of Transfer Station Supervisor: Mr. Archible presented the details to the Board. Per the recommendation of Steve Williams, Director of Public Works, Mr. Archible moved to appoint Elmer (Chuck) Dodge to the position of Transfer Station supervisor, effective immediately. Seconded by Mr. Aponte. Motion passes 4 – 0.
- g. Appointment of DPW Laborer: Mr. Archible presented the details to the Board. Per the recommendation of Steve Williams, Director of Public Works, Mr. Archible moved to appoint Melissa Cook to the position of DPW laborer, effective immediately. Seconded by Mr. O'Connor. Motion passes 4 – 0.
- h. Award Bid #2016-02 – Winter Sand Bid: Mr. Archible presented the details to the Board. Per the recommendation of Steve Williams, Director of Public Works, Mr. Archible moved to award bid #2016-02 to:

- Ray Haluch, Inc., 1014 Center Street
Ludlow, MA 01056

Price Delivered - \$11.40 per cubic yard
Price Picked Up at Pit - \$9.40 per cubic yard

Seconded by Mr. O'Connor. Motion passes 4 – 0.

- i. Accept Senior Center Aide Resignation: Ms. Aldrich presented the details to the Board. The Board accepted the resignation of Katherine Martin as a senior center aide. A letter will be sent to Ms. Martin thanking her for her service to the town.
- j. Accept Meals Driver Resignation: Ms. Aldrich presented the details to the Board. The Board accepted the resignation of Mark Brownell as a Meals on Wheels Driver on or before November, 1, 2016. A letter will be sent to Mr. Brownell thanking him for his service to the town.
- k. Review ZBA Special Permit Application – Murray, Map 216, Parcel 117 on Amherst Road: Mr. Aponte presented the details to the Board. The applicant wants to build a duplex on this property. There are no non-conforming issues with this application. The Board will send this back to the ZBA indicating they have no

concerns at this time; however, ask that the ZBA pay attention to concerns that other boards, committees or abutters may have.

1. Review ZBA Variance Application – Hayward, Map 245, Parcel 93 on Willow Lane: Mr. Aponte presented the details to the Board. This is an estate lot with a 160 front yard set back. There are no specific concerns with it being non-conforming. The Board will send it back to the ZBA indicating they have no concerns at this time; however, ask that the ZBA pay attention to concerns that other boards, committee or abutters may have.
- m. Review ZBA Special Permit Application – Animal Control, Map 243, Parcel 179.01 (George Hannum Road): Mr. Aponte presented the details to the Board of Selectmen. This application is for the signage of the new animal control facility. They want to place a 3 ft x 5 ft sign which is larger than what is allowed. He feels the Board of Selectmen should send an approval to the ZBA for this application.

Mr. O'Connor moved the Board send this back to the ZBA with recommendation from the Board of Selectmen to approve it. Seconded by Mr. Aponte. Motion passes 4 – 0.

- n. Executive Session – MGL Chapter 30A, Section 21, Subsection 3 and 6: Mr. O'Connor moved the Board enter executive session at the conclusion of their regular session pursuant to MGL Chapter 30A, Section 21, Subsection 3 and 6 and not to reconvene in open meeting. Seconded by Mr. Aponte. Roll call vote: Archible – yes, Aldrich – yes, O'Connor – yes, Aponte – yes.
- o. Miscellaneous Matters: None.

6) Town Administrator's Report:

- The 159th Belchertown Fair was a success. There was a new amusement ride operator who performed to everyone's expectations.
- Department heads have been asked to submit their best guess at the fy18 budget for their department as well as a five year budget plan to not only include operational expenses but needs and capital.
- He will schedule a meeting for the Patrick Center Re-use Committee now that Mike Knapp has been appointed. The deed has been recorded and the Town officially owns that property.
- The tax credits for the Grantham Group were approved. The group is anticipating a very early spring groundbreaking with occupancy within a year.
- He gave a copy to each selectman regarding the deputy director at the council of governments announcing his resignation. Mr. Brougham stated he has been very dissatisfied with the level of service from the council of governments over the last five or six years. He has taken issue with the executive director. This latest resignation comes in a series of valued, capable employees resigning and he believes they are leaving because of the director. Over the years he has seen a lack of accountability and programs that never came to fruition from the executive director and he is more concerned then ever. Last years executive report from the HCOG reported that Belchertown saved over a million dollars by utilizing their services. He continued that with the exception of the Hampshire County Insurance Trust which is not part of the HCOG, the town did not spend over a million dollars. His opinion is that the alleged savings are over exaggerated.

He attended an executive committee meeting a few weeks ago and felt that the current director was insubordinate and lacked respect for the executive committee much as he feels he has a lack of respect for his constituents.

Mr. Brougham stated he is concerned that the Council of Governments is on the verge of imploding. The programs that were promised have failed; there are increasing concerns about the future of the electricity program. The deputy director went to the executive committee and encouraged them to withdraw from the electricity program.

He continued that he is of the opinion the HCOG and Mr. Ford spent somewhere around a million dollars of member communities money on the failed electricity program. There has not been any inquiry or accountability; the only explanation from HCOG was that "they were disappointed".

Mr. Brougham feels it would be incumbent on this Board to write a letter to the executive committee and ask them to begin the process of re-establishing the goals and objectives and getting back to the business of servicing the constituent communities. Belchertown is more fortunate than small towns as we are able to provide services that they may not be able to and therefore need the programs that the HCOG offers. He feels if our Board authorizes the Chairman of the Board to send a letter encouraging immediate intervention and change that other communities will rally behind the cause of putting the HCOG back on track with or without the current executive director.

Mr. O'Connor questioned how much the town pays to be a member. He was told that Belchertown pays \$10,000 a year in membership fees and it may have gone down to \$7,500. Mr. O'Connor questioned if Belchertown just wants to withdraw or if we want to try and save it. He was told that recently there had been a plan to withdraw from the HCOG but that a current board member and a former board member blocked it. Mr. Aponte also questioned if now is the time to withdraw from the HCOG. Ms. Aldrich also had negative comments about the way the executive director conducts himself and maybe things could be turned around with a new executive director.

Mr. O'Connor moved the Board authorize the Chairman to endorse a letter to the Hampshire Council on Aging outlining the Town's concerns regarding their employment turnover and the direction that the HCOG is going in. Seconded by Ms. Aldrich. Motion passes 4 – 0.

- 7) **Review of Weekly Mail:** Mail reviewed, no discussion held.
- 8) **Individual Board Members' Reports:**
Ms. Aldrich: The Council of Aging is sending out surveys that will be sent out randomly to the 50+ age group. If you don't receive one and would like to be a part of the survey taking contact the Senior Center.
- 9) **Questions from the Press:** None.

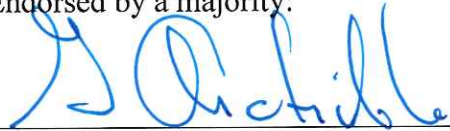
10) **Adjournment:** Meeting adjourned at 9:25 p.m.

Minutes submitted by Gary L. Brougham, Town Administrator

Board approved/endorsed: 10/24/14

Board of Selectmen - Town of Belchertown

Endorsed by a majority:



George D, Archible, Chairman



Brenda Q. Aldrich



Ronald E, Aponte

(Absent)

William R. Barnett



Nicholas O'Connor