

**TOWN OF BELCHERTOWN
BOARD OF SELECTMEN'S MEETING MINUTES
MONDAY, MARCH 13, 2017
Selectmen's Meeting Room, Lawrence Memorial Hall**



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

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 #1737 was signed for \$520,926.35.
- b) Routine documents
- c) Approval of Minutes: None.

3) Additions to the Agenda:

- **Vote a Snow Emergency:** Steve Williams, Director of Public Works presented the details to the Board. He is asking that they vote a snow emergency so they can deficit spend the snow removal budget. The current budget of \$242,000 has been exceeded by \$8,000. We will be having a major snow storm tomorrow with snow also forecasted for Saturday. He's been keeping records of the snow expenditure for the last 12 years and the average is \$268,000. There has been a high of well over \$400,000 and a low of \$160,000. The average number of snow events over the last 12 years is 21; to date there have been 23 here in town to date. Only four of those storms have had four inches or more; 19 have been small storms and a few have lasted two days. Of those storms 17 have been mixed precipitation, rain, snow, sleet which is difficult and expensive to deal with. The average snow fall over the last 12 years is 60" and as of right now we are at 53" of snow. The average cost of snow removal per inch is \$4,500 and presently we are at \$4,600.

Mr. Aponte noted for everyone's benefit that the snow removal budget is the one area where we can over spend and not have to go to town meeting to do so. Several years ago the Board of Selectmen and Finance Committee decided to budget for snow removal so that we would be more accurate in snow removal costs.

Mr. Aponte moved the Board of Selectmen declare a snow emergency. Motion seconded by Mr. O'Connor. Motion passes 4 – 0.

4) Appearances Before the Board:

- 7:35 p.m. Senator Eric Lesser: He noted that the State is entering the budget season and he wants to hear from the Board what the Town needs to get through it. Ms. Aldrich thanked him for his work with the opioid crisis and his help with the rattlesnake issue

Mr. O'Connor thanked him for his help with the Patrick Center. He updated the senator on the future of the building as it now stands. Another surplus state property in town is the Lampson Brook Farm. There is a lease on this property with NESFI that operates on portions of the property. He questioned if it could be put back into a state agency for some type of oversight so that the town can open up its use or is it property that could be up for acquisition at some point like the Patrick Center.

Senator asked to be kept updated on the progress of the Patrick Center. There have been some very high level conversations regarding Lampson Brook with DCR and the State Agricultural Department. It's not going to be immediate but at some time some decisions will be made at the state level regarding Lampson Brook. His sense is that once the town has a solid plan on what they would do with this property, he believes they will entertain some sort of a cooperative agreement or even a transfer. His advice is to maybe begin to build a consensus building exercise in the town. Mr. Aponte questioned if we would need a master plan with a vote at town meeting. Senator Lesser said that would be the way to go but doesn't feel the town is at that point yet.

Mr. Aponte attended the Rattlesnake Committee meeting that was held weeks ago. The fact that there was no public input was not well received. He appreciates the fact that Senator Lesser was able to help get this committee formed. Input from the public needs to be heard. It makes it appear as if the state already knows what they plan to do. He urged the senator to see if there is a way to allow for the public to have their say.

Senator Lesser agreed with Mr. Aponte's comments regarding the public input. The feedback that he has gotten from the committee is if they did that there wouldn't be time to get through the presentations. He feels that we should let the process play out first but did note that they will take questions at the next presentation. He will work to defeat placing rattlesnakes at Quabbin if the towns feel questions have not been answered.

Ms. Aldrich questioned what was going on with Austin Farms this past summer. Senator Lesser stated The Boston Public Market which operates in space that was opened up as a result of the big dig has been opened two or three years and is based off the markets in Spain and other countries. In speaking with the market they indicated they had no representation from Western Massachusetts. Their mission is to represent local agriculture but they don't have the relationships in this area. He brought them out to Western Mass where they toured Austin Brother's, Meadow Brook in East Longmeadow, Red Fire Farm in Granby and several others and have remained in touch with some of them. There was interest on all sides. Austin Brothers is interested but not prepared at this time to work with them. He is hopeful there is going to be another farm bill this session and it will include a lot more incentives for these types of programs, to ease some restrictions around farmer's markets and raw milk distribution.

Mr. Brougham, Town administrator mentioned that when the rattlesnake committee came to see his office about holding a meeting at town hall he tried to discourage him for two reasons; the acoustics and it's not very big. He suggested that they talk to the school department to use one of the schools. At that time it was made known to him there was no intent to allow for discussion.

He's discussed with the senator's aide and expressed the town's concern about the upcoming budget cycle. There is a very insignificant increase in Chapter 70, not a lot of hope for unrestricted aid and more recently there has been some talk about additional cuts in this fiscal year.

Mr. Brougham also mentioned Sportshaven Mobile Park is a community of 52 mobile homes. It has been operating out of compliance for a very long time. There is a court action by the attorney general's office and the DEP against the owners. The owners have failed to make the necessary repairs. The owner of record at the time of the court order is now deceased. There are marginal services from the owner. The town has made multiple attempts to try and bring relief to the tenants and nothing seems to have worked over the last 15 years. There is a new assistant attorney general who has assumed this project. She has been working with various town departments and DEP to try and bring some relief. Most of the affordable housing grants are not eligible for manufactured homes. We are in the process of submitting a community development block grant and we are the host community. He is hoping with the senator's assistance we may be able to leverage some of that money to at least do some engineering. It has recently come out of the new administration that the community development block grants will no longer be funded. Senator Lesser feels he and the town should get together to come up with a plan B for Sportshaven. He is committed to helping to find a solution.

Mr. Brougham indicated that Steve Williams, Director of Public Works has a project that is currently moving through; it's the Main and Maple Street project and its congestion mitigation. Chapter 90 is also always a concern. He asked the senator to advocate for a timely release and full funding the bond bill so the town can get projects off the ground. Senator Lesser indicated he has advocated for Belchertown as we have a unique circumstance in that we have a large area of land with many paved roads but not a huge population. Senator Lesser will keep the town updated on the budget and money for road repairs.

Mr. Brougham spoke with Senator Lesser's aide last week about the MPDES was program administered through the EPA. The town is trying to get in line with the new MS4 Storm water law which will cost the town far too much money for the gain. Governor Baker has recently filed legislation for the Commonwealth to take over storm water discharge through the state and not the federal government. It would be beneficial if the state could take this over and remove the federal

government from it. Senator Lesser believes that we are one of the only states that has not done that yet. He expects it to move forward without too much effort.

Steve Williams went back to the Main and Maple Streets project. It is a 4.5 million dollar project. He has concerns with the process. He gave a document to the senator to look over and would like to discuss it further over the phone. The document is a priority list for the whole pioneer valley region. Mr. Williams also has concerns with the Chapter 90 funds. Right now it's about 200 million state wide with Belchertown getting about \$600,000. Everyone he knows is advocating for getting the state wide amount up to 300 million. He is willing to even ask for the state to give a little more every year as 300 million is a lot to ask for. Mr. Williams is highly advocating for the state to take over the MS4 program. He doesn't feel the program was written well. He feels that the EPA is out of touch with the local communities. He is an advocate of environmental protection but this program is too restrictive. DEP will be more responsive to the communities; they could break it down and have more individualized permits rather than the EPA one size fits all.

Mr. Aponte commented on having manufactured housing being included in the town's affordable housing inventory. There are a few hundred units at Pine Valley Plantation that are not included in the town's affordable housing inventory. The town is very vulnerable to a comprehensive permit for affordable housing. He told the senator that anything he can do to change affordable housing to include manufactured homes would be appreciated. The senator feels this is a very reasonable request. Senator Lesser's aide will look to see if the town could request a waiver to allow Pine Valley Plantation to count towards affordable housing.

- 8:20 pm. Thomas Scanlon, Scanlon & Associates: Mr. Aponte presented a brief background regarding Thomas Scanlon, Scanlon & Associates: Mr. Scanlon introduced himself to the Board. Their sole purpose is not find fraud. It is a risk based audit. The main objective is to look at the town's financial statements.

He reviewed the audit opinion; it is an unmodified opinion which is the best you can get. This is the information that bonding agencies look at, grant agencies look at it, as well as other agencies. When applying for grants the unmodified opinion puts you in the best spot. Many bonding agencies won't look at you if it is a modified opinion. This is what you strive for – the unmodified opinion. The financial team in town does a great job.

Governmental financial statements are very complex since they are not like the private companies. He went into detail discussing the audit report. He discussed medical costs and costs related with retirees.

He spoke about the free cash and stabilization fund. Belchertown had free cash certified at about \$800,000. The town has a very good mix of free cash. He stated a sound free cash amount is 3 to 5%. We are in good shape coming in slightly under that. There is a good blend of our free cash. The other town reserve is the

stabilization fund. The reserve amount should be 6 to 10% and the town is right at the 7% mark.

They spend a lot of time in the Collector-Treasurer's Office. They look at our balance sheet and cash and accounts receivable. They really look at the bank reconciliations to make sure everything is balancing. The town has excellent policies and procedures to balance on a monthly basis.

He feels the financial team the town has in place is in the top 10% across the state. His firm audits about 80 municipalities across the state and Belchertown's financial team ranks among the top.

He also mentioned the schools as they are a part of the audit process. They are about 68% of our total budget and spending. Outside of the school's budget they have multiple revenue sources they can spend from in the form of grants and revolving funds. The school choice fund is included in that. The school choice money is at the discretion of the school to spend.

5) Discussion/Action Items:

- Award Fuel Oil Transportation Bid: Steve Williams, Director of Public Works presented the details to the Board. The low bidder is Roberts Energy. There are two bids; one is for purchasing fuel off the daily market and the other is for when we lock in the fixed price. He asked the Board to award the contract to Roberts Energy. The pricing is a little lower than the last contract period; fuel prices have dropped since three years ago although fuel prices today are a little higher for the commodity itself. He believes when the town locks in the rate it will be in the same ballpark as the last contract.

Mr. Aponte questioned if this was in line with the FY18 budgets that are being discussed. He was told they are in the line and that Mr. Williams will be reviewing them over the next few weeks. He and Mr. Brougham have been watching the daily price.

Mr. Barnett moved the Board award the Fuel Oil Transportation bid to Roberts Energy and to authorize the Vice-Chairman of the Board to endorse the Fuel Oil Transportation bid. Seconded by Mr. O'Connor. Motion passes 4 – 0.

- Abate Sewer Charges – 56 North Main Street: Gary Brougham, Town Administrator presented the details to the Board. This property has been in disrepair for quite some time. The house was foreclosed on and the property owners at that time vandalized the house before they left. Most of the plumbing was removed. It was so bad that the water services were dug up in the street and shut off. There has been no occupancy because of the state of disrepair. There have been multiple requests to abate them because of the situation. It's gotten to the point where we need to abate them or the treasurer-collector needs to put a lien

on the property, which due to the circumstances would likely not be appropriate. He is asking that the Board abate the sewer charges as presented with a provision to continue to suspend sewer charges until the house is issued a certificate of occupancy.

Mr. Aponte stated it is rare for the Board to abate several years of sewer services and he believes in this case it is appropriate for the Board to do so.

Mr. Barnett moved the Board abate the sewer charges for 56 North Main Street with the provision to continue to suspend sewer charges until the house is issued a certificate of occupancy. Seconded by Mr. Aponte. Motion passes 4 – 0.

- Appointment of Member to Cultural Council: Mr. O'Connor presented the details. Per the recommendation of the Chairman of the Cultural Council, Mr. O'Connor moved to appoint Heather Benedetti to the Cultural Council, term to expire June 30, 2018. Motion seconded by Mr. Aponte. Motion passes 4 – 0.
- Appointments of Veterans' Graves Officer and Assistant Veterans' Graves Officer: Mr. Barnett presented the details to the Board. These are five year terms. Mr. Barnett moved to appoint Vincent Viglione as the Veterans' Graves Officer and Kathleen Wood as the Assistant Veterans' Graves Officer, terms to expire March 31, 2022. Motion seconded by Mr. O'Connor. Motion passes 4 – 0.
- Right of First Refusal – Mary A. Mader – Rear of 366 Allen Street (Lot 2, 43,564 +/- square feet, 1.000 +/- acres): Mr. Aponte presented the details to the Board. The conservation commission and planning board have recommended the board of selectmen not exercise their right of first refusal. Mr. Aponte moved the Town of Belchertown not exercise their right of first refusal for the property at the rear of 366 Allen Street, Lot 2, 43,564 +/- square feet, 1.000 +/- acres. Seconded by Mr. O'Connor. Motion passes 4 – 0.
- Review Amendment to the Zoning By-Law – Change Zoning of Several Parcels: Mr. Aponte presented the details to the board. This is a zoning change the planning board is proposing. Mr. Aponte moved the Board of Selectmen refer the zoning by-law change as outlined back to the planning board for consideration. Motion seconded by Mr. Barnett. Motion passes 4 – 0.
- Review Amendment to the Zoning By-Law – Changes to Language in Several Sections: Mr. Aponte presented the details to the board. This is a zoning change the planning board is proposing. Mr. Aponte moved the Board of Selectmen refer the zoning by-law change as outlined back to the planning board for consideration. Motion seconded by Mr. Barnett. Motion passes 4 – 0.
- Miscellaneous Matters: Ms. Aldrich notified the press that the decision has been made to close Town Hall tomorrow due to the forecasted snow storm. Mr. Brougham will notify employees as well as putting it on the media outlets. If there is a loss of power the senior center and police station will be open. In the event that happens that will also be put out on media outlets.

6) **Town Administrator's Report:** None.

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

- 8) **Individual Board Members' Reports:** None.
- 9) **Questions from the Press:** Steve Hill from the *Sentinel* confirmed with the Board that once the snow budget has been increased it cannot be decreased the following year.
- 10) **Adjournment:** Meeting adjourned at 9:17 p.m.

Minutes submitted by Gary L. Brougham, Town Administrator

Board approved/endorsed: March 27, 2017

Board of Selectmen - Town of Belchertown

Endorsed by a majority:

George D. Archible, Chairman

Ronald E. Aponte
Ronald E. Aponte

Nicholas O'Connor
Nicholas O'Connor

Brenda Q. Aldrich
Brenda Q. Aldrich

William R. Barnett
William R. Barnett