

**TOWN OF BELCHERTOWN
BOARD OF SELECTMEN'S MEETING MINUTES
MONDAY, MARCH 26, 2018
Selectmen's Meeting Room, Lawrence Memorial Hall**



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

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

2) Sign Documents:

- a) Warrant #1839 was signed for \$1,060,899.07.
- b) Routine documents
- c) Approval of Minutes: Mr. Archible moved the Board accept the minutes of February 26, 2018. Motion seconded by Mr. O'Connor. Motion passes 3 – yes, 1 – abstain (Aponte). Mr. Aponte moved the Board accept the minutes of March 12, 2018. Motion seconded by Mr. O'Connor. Motion passes 3 – yes, 1 – abstain (Archible).

3) Additions to the Agenda:

4) Appearances Before the Board:

- 7:33 p.m. Continuance – Pole Hearing #2018-04, Ware Road: Mr. Aponte presented the details to the Board reminding them that this hearing began at the last Board meeting. Ms. Clowes from National Grid met with the abutters and they have come to a resolution. Mr. Aponte moved to re-open Pole Hearing #2018-04. Motion seconded by Mr. O'Connor. Motion passes 4 – 0.

As the issue has been resolved Mr. O'Connor moved to close the pole hearing. Motion seconded by Mr. Archible. Motion passes 4 – 0.

Mr. Archible moved the Board take no action. Motion seconded by Mr. O'Connor. Motion passes 4 – 0.

- 7:35 p.m. Members – Skate Park Committee: Michelle Ricker, Chair of the Skate Park Committee was present for this discussion. Ms. Aldrich reminded everyone that that there had been some concerns regarding the Skate Park. The Board did receive the action plan that the Skate Park came up with to keep the park safe and clean. Ms. Aldrich feels the plan is exactly what the Board asked for.

Ms. Ricker indicated the Committee was able to meet with Lt. Pacunas from the Police Department. He helped the committee understand that even though there might not be a law per se for an adult wearing a helmet but that for the Town Skate Park the Board can vote to make it mandatory. Someone found without a helmet can be asked to put it on or be asked to leave. Repeat offenders can be served with a trespass order. A record will be kept of the offenses. They will allow someone to attend a meeting if they are looking to amend their restriction but it will be in place for about a year.

Mr. Archible explained it is a no trespass order and the usual time is one year which is explained on the form. If a child or adult was not aware of our rules and regulations of wearing a helmet and went before the Skate Park Committee they would be able to reinstate that person if they felt it was appropriate and would be able to remove the trespass notice. He wants the Skate Park Committee to have the control to remove the no trespass order as well as having the Police Department having that authority.

Ms. Ricker indicated within the past two days she had found three people within the locked Skate Park. She questioned why they were in the park and informed them she would call the police if they did not leave the park. They challenged her to go ahead and call the police so she started dialing at which time they jumped back over the fence. She did give their license plate number to Lt. Pacunas who now has it on file. Mr. Archible questioned if they had bikes or skate boards. They were in the park with skate boards and it turned out they were from Chicopee. Unfortunately because it was not known if the person who owned the car was actually one of the ones in the locked park it was not possible to move forward with the no trespass order. Later in the week her husband was near the Rec. Department and noticed that there were several teens in the locked park again. She believes those were teens from town and when the police asked them to leave they did so without any trouble.

Mr. Archible questioned if Ms. Ricker knew when new signage would be placed. The committee is planning on meeting within the next couple of week and will then work on the wording. They will try to have it up within a month.

Mr. Aponte questioned the monitoring of the park. He understands the police will be monitoring but obviously they are not there 24/7. The committee doesn't have a formal plan at the moment but plans on taking turns to be at the park at random times. Additionally they will have an officer do a random check with a committee member. Lt. Pacunas indicated he is willing to have an officer help the committee members. Ms. Ricker indicated one of the biggest obstacles was not having someone in authority willing to help them. With the Board's support in making it a requirement to wear a helmet it is a help to the members. It gives the committee the power to enforce the rules.

Ms. Aldrich is glad the committee has involved the police department. That's what the Board was looking for. Going to the skate park at random times will have the people who are using the park see that the adults are following through with the rules. Ms. Ricker indicated that the park does get used in the winter time weather permitting. She has been in touch with the DPW to try and figure out a better way to monitor the trash. Lt. Pacunas has given permission to the committee members if they need to remove trash they can place it in the police department dumpster.

Mr. Archible moved the Board enforce the ruling that helmets be worn by Skate Park users of all ages. Motion seconded by Mr. O'Connor. Mr. Archible added that the Board allows the Skate Park Committee and the Police Department to use their authority to no trespass individuals that should be. Ms. Ricker stated they are hoping to not have to go right to that. Mr. O'Connor re-seconded the amended motion. Motion passes 4 – 0.

Ms. Aldrich questioned when the Board should allow the Skate Park to re-open. Mr. Archible stated it would be as soon as they had the signage up regarding the rules and regulations. Mr. Archible indicated that the helmet usage cannot be enforced unless there is a sign up. Ms. Ricker indicated there is a helmet sign at the Skate Park. The only difference with the new sign is that it includes the wording that no drugs, no alcohol, and no glass are allowed at the Skate Park. Mr. Archible moved to open the Skate Park tomorrow morning. Motion seconded by Mr. Aponte. Motion passes 4 – 0.

- 7:55 p.m. Belchertown Day School: Mr. Aponte reminded the Board of the events leading up to tonight's meeting. The Day School wants to build on the State School property. They wish to enter a PILOT program in lieu of taxes. They found out that they are not necessarily tax exempt. They were referred to the Board of Assessor's to determine if they actually have tax exempt status. They did go before the Board of Assessor's and were told that the determination could not be made for tax exempt status as they do not own the land yet that they want to build on.

The Day School went before the EDIC to try and get the project moving. In discussion regarding a PILOT program and in extending their contract with the EDIC the EDIC voted that a PILOT program would be no less than \$8,000.

The Day School indicated that the Board of Selectmen requested a percentage rather than a dollar amount and they completely support that. They did get an extension of their grant and they have until June to do it. They feel it makes more sense for the Town to develop a PILOT program so that everyone is on the same page. The next deadline as stated is in June and at the point the Purchase and Sale has to be signed and they can't do that until the PILOT is straightened out.

Mr. Aponte indicated the whole idea behind the percentage is if the Town comes up with some arbitrary number we have no idea what it is vs the potential assess value.

Mr. O'Connor asked for clarification that even if the Board hammers out a PILOT percentage it doesn't necessarily mean that the Board of Assessors would deem them tax exempt. The Day School is prepared that if they are not deemed tax exempt that they will pay their fair tax share. They plan to move forward whether they are deemed tax exempt or not.

Ms. Aldrich stated it is still random asking for a percentage for the PILOT program. Mr. Aponte feels there will be a lack of clarity for both the Town as well as the Day School.

Mr. O'Connor moved the Board empower the PILOT subcommittee to begin negotiation on a percentage based program not less than \$8,000. Motion seconded by Mr. Aponte. Motion passes 3 – yes, 1 – no (Archible).

- 8:15 p.m. Members – Community Preservation Committee – Mader Forest: Jim Natle, Chair, CP Committee presented the details to the Board. The cost of the Mader Forest project is about \$375,000 and CP is being asked for up to \$130,000. This is a managed timber harvest forest with some harvest value to this property of \$89,600.

The CP committee is looking for the Board of Selectmen to give back to the CP committee a percentage of the timber harvest so they can put the money back into the community. They are asking for 25% of the initial timber harvest to go back to the CP Committee.

Mr. Aponte questioned if this meant the Town was donating this money back to CP for future CP projects. He was told it was not.

Peg Louraine, CP member indicated that the original application for this project was for \$70,000; however when Ms. Connolly realized she did not have the time to fund raise she came back to the CP committee and asked if she could increase the dollar amount to \$130,000. This request was well past the deadline for applications. The committee agreed with reservation as long as they could get some money back from the timber harvest. The money for the Mader forest is contingent on getting this money. This money would go back into the open space funds for Community Preservation for future projects.

The CP Committee has helped to preserve 731 acres of land in Town and has given a little over \$700,000 towards this preservation.

Mr. Brougham spoke in favor of committing money back to the CP committee. This is the third time the Town has tried to purchase this property; the first two times funding was not available. He feels this is most likely the last chance the Town has to purchase the property. He has met with the Town Accountant and the Treasurer-Collector regarding the CP request. He feels Town Meeting should make the decision.

Mr. O'Connor moved the Board advance this to Town Meeting for a vote. Mr. Aponte moved to second the motion. Motion passes 4 – 0.

5) Discussion/Action Items:

- a. Appointment of Council on Aging Executive Director: Ms. Aldrich presented the details. The Board interviewed two extremely well qualified candidates. Both candidates would be an asset to any community. Marie Westberg is her choice as the Executive Director of the Senior Center. Ms. Aldrich talked to members of the community following the interviews and received calls over the weekend regarding their choice for the position. She's done more extensive work with grant writing. She liked the newsletter that Ms. Westberg creates for her current position. She also has a lot of programs for people who aren't retired yet but can still use the Senior Center. She has also worked with Smith Vocational High School for the meals at her current position. She also has Smith Vocational cosmetology class come in to the Center. Ms. Aldrich feels it would be wonderful for her to work with Pathfinder to bring these programs into the Senior Center. Her vote is for Marie Westberg.

Mr. O'Connor agreed both applicants were very qualified. He felt the community outreach that Ms. Westberg brought to the table, doing events outside of the Center and branding it as not necessarily as just a Center for the elderly was a great idea.

He liked a lot of her ideas and she's done a lot with very little. He was pleased with both candidates but he would also vote for Ms. Westberg.

Mr. Aponte also felt both were very impressive candidates. He went through the pros and cons for both candidates. Considering all of the pros and cons he felt that Ms. Westberg was the candidate he would vote for.

Mr. Archible also felt both candidates were highly qualified. He would be happy with either candidate. He was going to be a gentleman and vote for Jessica Langlois.

Mr. O'Connor moved to appoint Marie Westberg as our new Director of the Senior Center. Motion seconded by Mr. Aponte. Vote was 4 – 0.

- b. Appointment of Assistant Animal Control Officer: Mr. Aponte presented the details to the Board. Per the request of Anna Fenton, Animal Control Officer, Mr. Aponte moved to appoint Jessica Labonte to the position of Part-Time Assistant Animal Control Officer, effective Tuesday, March 27, 2018. Motion seconded by Mr. O'Connor. Motion passes 4 – 0.
- c. Discuss Withdrawal from Hampshire Council of Governments: Town Administrator Brougham presented the details to the Board. In the past year there were discussions with some or all Board members about continued membership with the Hampshire Council of Governments. He brought to the Board's attention that if there was going to be a warrant article to withdraw from the HCOG the Town must post notice of the warrant article 45 days in advance of Town Meeting so by Wednesday of this week. He has met with the Town Accountant and the Treasurer-Collector regarding the CP request. He feels Town Meeting should make the decision.

The Town has been part of the HCOG for 20 years. It never lived up to the potential that the Town expected. During an initial vote to withdraw the Town was promised an electricity program that would save the Town money. The program never materialized. When the Town joined the municipal electricity program we ended up pulling out because it ended up not being cost effective. That led to a second vote to withdraw at which time the Town was told that it would be a big mistake to withdraw because they had sold a long term care facility in Florence and all of the money (between \$4 and \$5 million) was to be apportioned out to the remaining member towns. The Towns never received any money and the HCOG has spent the money. Last Town Meeting those concerns as well as the COG's inability to bring new programs forth in a sustainable plan were again brought up. Town meeting was not willing to withdraw because there was further discussion about new programs and services.

The Board of Selectmen sent a letter to the HCOG regarding concerns that they had about the COG. The Board received a brief letter from the HCOG indicating they wanted to work with the Town with no contact since then. Part of the concern in the letter that the Board sent was about the way it was being managed. There has been no change in the management of the HCOG. A new contract is actually being negotiated with that individual. He was given a very positive employee performance review in February of this year.

One of the concern in the letter was the management style, displacing individuals or in some cases being retaliatory. Several months ago the Insurance Trust which is the only profitable or sustainable organization in the COG was told they had to relocate from the Court House. Mr. Shea who runs the Insurance Trust took it at face value and began looking for a place to go. The executive committee of the COG never voted on the decision to make the Insurance Trust relocate but rather was the decision of one or two people; even Bill Barnett did not know about it when it was announced. That employee who told Mr. Shea he had to move out has started looking at Mr. Shea's contract. Mr. Brougham is concerned about some of the behavior of this individual. The Court House is rumored to be worth \$3 million but needs \$4 million in repairs. The COG does not have a FY17 audit and we are in FY18. The audit from the prior year was very concerning. The auditors informed them they needed a cash source or revenue that would sustain them. Mr. Brougham stated that the Town should not be part of this organization. There is a State Agency investigating HCOG and it is not a rumor. They have spoken with Mr. Brougham. There are employees who are entitled to pensions and when there is no more money and no more COG who will have to pay those pensions. Enormous consulting fees are being paid. He feels Hadley did the right thing last year in voting to withdraw from the COG.

Mr. Archible moved the proper notification be sent to the Hampshire Council of Governments to withdraw from it and post the warrant article. Motion seconded by Mr. Aponte. Mr. Aponte did comment that he is concerned about going back for a "bite" at the apple. He feels it is important to note that there has been no improvement in management and programs. Also is the fact that they are being investigated by State Agencies which is significant. Mr. O'Connor noted it is not the Board's decision to make it is up to the residents of Town to vote at Town Meeting. Motion passes 4 – 0.

- d. Recognize National Public Safety Telecommunications Week (April 8-14, 2018): Mr. Aponte presented the details to the Board. Senior Dispatcher and Administrative Assistant to the Chief of Police, David Squires, with regards to recognizing the National Public Safety Telecommunications Week which is April 8th through April 14th. Mr. Aponte moved the Board recognize the week of April 8th – 14th as National Public Safety Telecommunications Week. Motion seconded by Mr. Archible. Ms. Aldrich added they dispatchers do an amazing job.
- e. Discuss Community Compact: Mr. Brougham presented the details to the Board. The Baker-Polito administration has appropriated money and is hoping to sign compact agreements with all municipalities in the Commonwealth to help offset costs with implementing a best management practice. There are areas that the Town could potentially receive State dollars. After looking over everything the Town decided to apply for help to help with the Police Department's State accreditation process. The preliminary application has been submitted and he is going to back that up with details from Chief Pronovost and our IT Director.

Lt. Governor Polito would like to come to Belchertown on April 24th at 5:30 to present a check likely in the amount of \$15,000. Once the Town is designated a compact community we can apply for additional grants through the program plus it gives us added points when we apply for other grants.

- f. Designate Special Municipal Employees, BCTV: Mr. Aponte presented the details to the Board. Dan Beaudette who is an attorney and is on the Planning Board is also a

BCTV volunteer. The volunteers do receive stipends. He did point out that it is not the person but the position that should be designated a special municipal employee.

Mr. Aponte moved that the Board of Selectmen recognize BCTV stipend/volunteer staff as special municipal employees. Motion seconded by Mr. O'Connor. Motion passes 4 – 0.

- g. Review Article List for Special Town Meeting: The Board reviewed all proposed articles for the Special Town Meeting.
- h. Dismiss Member from Animal Control Advisory Board: Mr. Aponte presented the details to the Board. There is a member who was appointed and it appears that they never took the time to be sworn in and have never participated in any meetings. They have not done the ethics requirement either. The Animal Control Advisory Board is requesting that the member's appointment be rescinded. Mr. Archible moved the Board of Selectmen remove the member from the Animal Control Advisory Board. Motion seconded by Mr. O'Connor. Motion passes 4 – 0.
- i. Executive Session – MGL Chapter 30A, Section 21, Subsections 2 and 3: Mr. Aponte moved the Board of Selectmen enter executive session at the conclusion of their regular session pursuant to MGL Chapter 30A, Section 21, Subsections 2 and 3 and not to reconvene in open meeting. Motion seconded by Mr. Archible. Roll call vote: Aldrich – yes, O'Connor – yes, Aponte – yes, Archible – yes.
- j. Miscellaneous Matters: None.

- 6) **Town Administrator's Report:** Mr. Brougham indicated he and Steve Williams had met with Senator Lesser in his office to discuss the PVTA and future connection to the Belchertown State School site. Senator Lesser had the new head of the PVTA at the meeting. They reviewed maps of the Pride project, the court house area all the way from the center of Town down, the congestion management project which will begin next year if the Town is funded for it. The director was positive and spoke about juggling some routes that are currently in Town and may not be providing returns but she fully understood the need and with the commitment from Bob Bolduc that he will also the buses to use the side street for Pride we have finally gained the traction for this to become a reality.

He spoke with the attorney for Pride last week and they will be in possibly this week for their building permit.

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

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

Mr. Archible: He has a MPO tomorrow with Steve Williams. He believes the project for Rt. 202 is at 50% and it is a \$4.7 million from the intersection here at the center all the way down to the Pride Station (Rt 202 & Rt 21).

About six or eight weeks ago the Board received a letter from Emily Sullivan from 126 North Liberty Street and questioned if there was any update. Mr. Brougham indicated he knew there was concern about all the wood and debris around the property. He knows that the building inspector and the fire chief had a conversation with the homeowner but he doesn't know the outcome. Mr. Archible asked him to get an update on the property as he's being asked for one.

- 9) **Questions from the Press:** Steve Hill from *The Sentinel* asked for the spelling of Ms. Langlois. He also asked what the current positions are of both candidates. The information was provided to him.

Mr. Russell from *The Republican* questioned Mr. Brougham's comment about gaining traction to make this a reality if he was referring to the Pride project or the PVTA. He was told it was regarding the PVTA. He gave a condensed history of the project.

Mr. Louraine from Channel 5 gave the Board an update regarding the water damage that they suffered this winter.

- 10) **Adjournment:** Meeting adjourned at 9:04 p.m.

Minutes submitted by Gary L. Brougham, Town Administrator

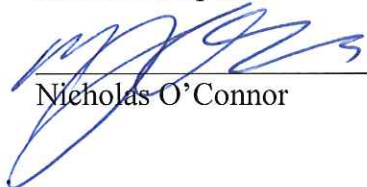
Board approved/endorsed: April 9, 2018

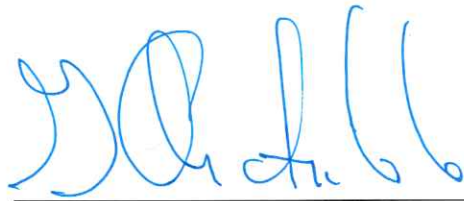
Board of Selectmen - Town of Belchertown

Endorsed by a majority:


Brenda Q. Aldrich, Chairman


Ronald E. Aponte


Nicholas O'Connor


George D. Archible