

**TOWN OF BELCHERTOWN
BOARD OF SELECTMEN'S MEETING MINUTES
MONDAY, APRIL 23, 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 # 1843 was signed in the amount of \$892,348.20
- b) Routine documents
- c) Approval of Minutes: Mr. Aponte moved the Board accept the minutes of April 9, 2018. Motion seconded by Mr. Archible. Motion passes 4 – 0.

3) Additions to the Agenda:

- Accept Wastewater Treatment Plant Operator I Resignation: Mr. Archible presented the detail to the Board. This individual has only been employed by the Town in this position for about three or four months. The Board acknowledged the resignation of Thomas Hoad, effective May 4th, 2018. A letter will be sent to Mr. Hoad thanking him for his service.
- Right of First Refusal – 110 Munsell Street, Orin L Bracey and MaryEllen O'Reilly-Bracey: Town Administrator Brougham presented the details to the Board. The Town received the offer several weeks ago. Both the Planning Board and the Conservation Commission have recommended the Board not exercise its right of first refusal. The Bracey's have a closing scheduled for April 30th. Mr. Aponte moved the Board of Selectmen not exercise its right of first refusal for the property on map 214, lot #10, parcel A at 110 Munsell Street. Motion seconded by Mr. O'Connor. Motion passes 4 – 0.

4) Appearances Before the Board:

- 7:35 p.m. Public Hearing – Pride Store LLC, Liquor License Hearing: Mr. Aponte read the public hearing notice and opened the public hearing.

Ms. Aldrich requested and received the signed green cards. This is for the Pride gas station / convenience store.

Mr. Aponte stated that the Town and the Board of Selectmen take the liquor licenses very seriously. TIPS training for the staff is strongly encouraged. He questioned if the training was available for the staff or if they have been trained. He was told it was something that Pride requires corporate wide whether or not the town or city requires it. They currently hold six licenses with five being active (one inactive is the Hadley store that is currently being built). Four of the five licenses are beer and wine licenses. They do have a Springfield store that is all liquor.

Pride feels they are an appropriate candidate for the available beer and wine license because they are a corporate retail store. They originally had thought of putting a Subway in but because there is already one in town they did not follow through and changed course. Under Mass Statute they are allowed to have up to seven liquor licenses. All employees are at least the age of 18 and are all TIPS trained, encourage customer service and checking id's of the customer. They are a responsible retailer.

Ray Saegaert, the liquor license manager, has over 26 years' experience in the beverage industry. He is their designated representative to their College Consortium. He is also TIPS trained. He oversees all new employees to make sure they are TIPS trained and following protocol.

Ms. Aldrich asked if there were any questions or concerns from the public. There were none. She asked the Board members if there were any other questions or concerns. Mr. Archible questioned when they will have a shovel in the ground. He was told if everything falls into place by the 4th of July hopefully.

Mr. Archible moved to close the public hearing. Motion seconded by Mr. Aponte. Motion passes 4 – 0.

Mr. Aponte moved that the Board of Selectmen grant a wine and malt beverage license to Pride Store LLC for the location at 165 State Street in Belchertown. Motion seconded by Mr. Archible. Motion passes 4 – 0.

- 7:50 p.m. The MacDuffie School – Connect to Wastewater Reclamation Facility: Andrew Parker, the Business Manager and Steve Griffin, the Head of the School were present for the meeting. Chairman Aldrich asked Steve Williams to present the details to the Board. He reminded everyone the process began back in 2007 with the previous owners of MacDuffie School. He has primarily worked with Andrew Parker on coming together with a set of connection permit conditions which is out of the normal. By the code of Belchertown they must adhere to the regulations for connecting to the sewer. There were many, many revisions. A permit will be issued down the road with the conditions that are attached for the Board to review.

The MacDuffie School will be designing and constructing approximately 12,000 ft of force main coming up George Hannum Street into our Wastewater Treatment Plant originating off of School Street in Granby. The cost will be responsibility of the school. They will be permitted for a maximum flow of 35,000 gallons per day. Our connection fee is a sliding scale based on the size of the facility will be approximately \$23,000 with revenue of about \$37,000 a year from the user fees.

Mr. Aponte questioned if there were concerns about potential capacity. Besides MacDuffie utilizing our wastewater treatment plant this will make it easier for some of our residents to connect, how does that affect the potential capacity of the plant? Mr. Williams had the town's consultants come in to check that out. We are at about 40% of our allowed 1 million gallons of treated sewage a day. He

explained all requirements and indicated we are well under capacity at the current time. He feels the Town has vetted this very carefully over the years.

Mr. Archible questioned stormwater. Mr. Parker indicated that none of their stormwater right now is being drained into their septic system or leaching fields. Once they are connected to our system they will not be discharging stormwater into our system. Mr. Archible questioned when the design would be finalized. Mr. Parker indicated they are ready to meet with GZA in Springfield as soon as they are able to achieve permitting.

Mr. Brougham applauds them for proceeding in this manner. He thinks they made the right decision. Once they are hooked up with our system they will be able to build their programs and not have to worry about effluent disposal or hiring an operator to maintain an onsite plant. He feels the Town is in a good position with this. This was approved at Town Meeting several years ago. He also mentioned that the same invitation was extended to the Town of Granby but never gained any traction. MacDuffie School has an administrative consent order against them and they had to do something.

Chairman Aldrich thanked MacDuffie School for coming in and updating the Board of Selectmen on their progress.

Mr. O'Connor moved the Board of Selectmen authorize the Chairman of the Board to endorse the MacDuffie Wastewater Reclamation Facility. Motion seconded by Mr. Archible. Mr. O'Connor amended the motion that all members endorse the MacDuffie Wastewater Reclamation Facility. Motion seconded by Mr. Archible. Motion passes 4 – 0.

- Christopher Eldridge – Arcpoint/Antonio's/Baystate 5k Race (fundraiser for Pioneer Valley USO), June 10th: Chris Eldridge was present for the meeting. He explained that there is a thing called Western Mass Beer Week and he is part of Arcpoint Brewing Company out of Belchertown. They were involved with Western Mass Beer week last year which helped them jump start who they are as a company. They try to focus on a lot of the beer that is available in Western Mass and do a lot of events. For this year's event they decided to get Belchertown involved with the event and spoke with Antonio's and Baystate Dental. No-one else in the area is doing a 5k race so they thought it would be a good idea to have one. They've talked to the Police Department already and are on board with the idea but he doesn't believe they will need any details as they are not going through any intersections. It will be all back roads. They will park people at the Baystate Dental parking lot. They will start there and finish at Antonio's. There will be beer and pizza for the runners. The USO will also be there.

Mr. Aponte thanked them for opening their brewery in Town. He understands they are doing very well. He mentioned that Fire Chief Bock has indicated that there should be a four hour ambulance detail with two paramedics at a cost of \$352 to the event sponsor. Mr. Aponte questioned if they were aware of that requirement. He was told they were not. Mr. Eldridge feels the event is worth it and is willing

to pay the detail fee. He does plan on going around to businesses in town to see if he can get any sponsors for the event which would help cover this cost. They want as much of the raised money as possible to go to the USO.

Mr. O'Connor questioned if they are thinking of doing this event annually. He was told they are as they feel this could be a great event for Belchertown. The Western Mass Beer Week continues to grow. So as to not overwhelm themselves they are limiting the race to 100 to 150 people.

Mr. O'Connor also questioned the fundraising aspect of the event. There are up-front costs for them to make the beer as well as for Antonio's to give a slice of pizza. They have t-shirts and worked with Baystate Dental who are up-fronting the costs of the t-shirts. Race Wire will be involved to set up the start and finish, the bibs and the time for the runners. They want to do this right. They want to try and get some business sponsors here in town for donations. The t-shirts will have the names of the sponsors on the back of it. There is a \$25 registration fee. They want the registration fee to go to the USO. They are a veteran brewing company and the USO has done a lot for the military. It will be zero profit for Antonio's, Baystate Dental and Arcpoint. They want to bring recognition to Belchertown for a fun event and give money to a great organization.

Mr. Aponte stated the Board also had a follow-up to an email from Chief Pronovost who thought he might need two officers and two cruisers to help with traffic control. Mr. Eldridge indicated that when he first spoke with the Chief they did not know what their route was going to be. The route has now been established and he doesn't believe that they will need police details because they are not crossing any major intersections. The Chief did inform him that there is an overtime rate with a minimum of at least four hours. They are willing to do whatever they need to do for this race to be a success. He feels that going forward this can be a very big event for Belchertown and getting the Town recognized for being a fun place for a 5k. Mr. Eldridge mentioned that he did not put it in his email but they are planning on getting a DJ to play at Antonio's. He also questioned about having a pouring spot outside of Antonio's. Mr. Brougham indicated that the liquor manager of Antonio's will have to request that the Board grant the opportunity. It will need to be a secure site.

Ms. Aldrich understands that they spoke with Dawn French regarding the event. She knows what she's doing when it comes to events and they should listen to what she tells them. She gave them information on port-a-potty and they are looking into that.

Mr. Aponte moved The Board of Selectmen grant permission to Arcpoint, Antonio's and Baystate Dental to hold the 5k race on June 10th with the approval of Chief Pronovost, Chief Bock and the appropriate liquor license amendments to accommodate the outside pouring. Motion seconded by Mr. O'Connor. Motion passes 4 – 0.

Ms. Aldrich informed Mr. Eldridge that once he gets the appropriate liquor license amendment together the Board will take a final vote.

5) Discussion/Action Items:

- a. Appointment of Town Common Lighting Committee Member(s): Ms. Aldrich presented the details to the Board. At the last meeting the Board formed a Town Lighting Committee for lights on the Town Common. The Board has received five letters of interest for the committee.

Mr. Aponte moved the Board of Selectmen appoint Matt Grillo for a term to expire June 30, 2019. Motion seconded by Mr. O'Connor. Motion passes 4 – 0.

Mr. Aponte moved the Board of Selectmen appoint Andrea Filipkowski and Cindy Brougham-Brown for a term to expire June 30, 2020. Motion seconded by Mr. O'Connor. Motion passes 4 – 0.

Mr. Aponte moved the Board of Selectmen appoint Gloria Fortunato and Cheryl Dutton for a term to expire June 30, 2021. Motion seconded by Mr. O'Connor. Motion passes 4 – 0.

- b. Endorse 2018 Fair Contract: Mr. O'Connor deferred to the Town Administrator for any background but stated this is for the annual endorsement of the Fair contract. Mr. Brougham indicated this is another multi-year bid for Dean & Flynn, Inc. d/b/a Fiesta Shows. It is consistent with all of the minimum criteria. This vendor has been performing exceptionally well both with the community as well as a partner with the Fair Committee. He recommends the Board award the 2018 Belchertown Fair Contract to Fiesta Shows as prepared.

Mr. O'Connor moved the Board of Selectmen endorse the 2018 Belchertown Fair Contract to Dean & Flynn Inc. d/b/a Fiesta Shows. Motion seconded by Mr. Aponte. Motion passes 4 – 0.

- c. Review Accessory Apartment Application – 3 Everett Avenue: Mr. Brougham presented the details to the Board. An application has been received from the Planning Board that was submitted seeking approval for the construction an accessory apartment at 3 Everett Avenue. He's reviewed the application and it is in the area of many multi-family homes. The applicants want the apartment to help care for aging parents. The house is on town water and sewer. There is ample parking with a large lot. He sees no reason for it not to be approved.

Mr. O'Connor moved the Board take no action and send it back to the Planning Board for their review. Motion seconded by Mr. Aponte. Motion passes 4 – 0.

- d. Vote to Change Time and Location of Regular Meeting of Monday, May 14, 2018: Mr. O'Connor moved the Board of Selectmen vote to change the time of their regularly scheduled meeting on May 14th meeting to 6:30 p.m. at the Veterans' Auditorium at the Belchertown High School. Motion seconded by Mr. Archible. Motion passes 4 – 0.
- e. Review/Endorse Special Town Meeting Warrant: Ms. Aldrich reviewed the three Special Town Meeting Warrants with the Board members. Board members were in agreement with the warrant articles.

- f. Discuss Hampshire Council of Governments' Strategic Planning Committee Letter: Chairman Aldrich asked Mr. Brougham to discuss the letter that the Board received from the HCOG. The Town received a letter from the HCG Strategic Planning Committee informing the Hampshire County towns that this committee was established to re-examine the structure and operation of the organization to ensure its long-term sustainability. They conclude after months of analysis they determined that there needs to be some change. He mentioned the list of concerns that had been brought to the attention of the HCOG that were ignored. This committee is ignoring the problems and renewed the executive director's contract providing raises and bonuses to him as well as to staff. They are on the verge of collapse with no sustainable revenue. This committee has announced that Belchertown and all Hampshire County communities will be responsible for legacy liabilities. Mr. Brougham has expressed his concern on many occasions regarding liability. He has always been told there is no liability. It is suggested that Belchertown's share of this liability is \$434,223. There is no explanation as to what a legacy liability is. He also questions if the COG does go under if all their employees are eligible to additional benefits and if it makes that cost go up. If they default on contracts are the member communities responsible for those. The court house needs major repairs. He is very concerned.

Ms. Aldrich stated she didn't think Amherst was a member of the HCOG but they will be charged according to the letter. It was clarified that they are not a member but the letter went to ALL Hampshire County Towns indicating they are all liable for these costs. Mr. Brougham indicated that the Director of the Executive Committee did not know this letter was sent out and questions why it's all Hampshire counties and not just the HCOG members.

Mr. O'Connor questioned if the Town has taken the appropriate steps notifying the HCOG of our intent prior to town meeting. The process was explained indicating the steps the Town had to take enabling us to vote on this question to leave the Hampshire Council of Governments. Mr. O'Connor questioned that the letter from the HCOG came out days after being notified that Belchertown would once again vote to leave the HCOG. The letter from the HCOG is unprofessional. Mr. Archible stated that the residents of Belchertown have been lied to by this HCOG. Ms. Aldrich has gotten phone calls regarding the letter and residents are concerned. Mr. O'Connor feels it reads as a threat.

Mr. Aponte questioned a statement in the letter that read ..."according to our analysis and discussions with the legislative delegation", he feels must be Hampshire County and wanted to know if Mr. Brougham had reached out to any of our legislators regarding the letter. He was told not specifically about this letter and that in the letter they threw the legislators under the bus. What really happened was that after the HCOG went to the legislators for additional financial help they were told to sell the court house. To take the money from the court house sale and re-organize in a building that they could afford with sustainable programs that they are good at but the HCOG did not do that.

Ms. Aldrich questioned if Town Counsel should review this letter. Mr. Brougham stated that Board could ask Town Counsel what our options are and what a legacy

liability is. In reviewing the HCOG documents regarding the enabling legislation and their administrative code and nowhere in either document does it indicate that they are allowed to come back at the towns for their failure?

Mr. Aponte also wants to reach out to our legislative team to see if they can confirm what the letter says and if this was what they agreed on. He feels the Board should confirm this for town meeting so that residents have the accurate information in order to make a decision to withdraw or not from the HCOG. Ms. Aldrich will have the town administrator send the letter to town counsel for their review.

- g. 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.
- h. Miscellaneous Matters: Ms. Aldrich stated the Lt. Governor will be in Town tomorrow night. Mr. Brougham confirmed that she will be here at 5:30 at 70 State Street to officially declare Belchertown a Community Compact community. She will also sign an agreement and provide Belchertown a check for \$15,000 to be used to tighten security on the police department server network enabling Chief Pronovost to move forward with his efforts towards accreditation. He asked the Board to authorize the Chairman to sign the Community Compact tomorrow night and to further authorize Chairman Aldrich to endorse the standard contract form which will be available and the check will follow soon after. Mr. O'Connor moved the Board authorize the Chairman to sign the Community Compact agreement and to further authorize the Chair to endorse the standard contract form. Motion seconded by Mr. Archible. Motion passes 4 – 0.

Mr. Brougham explained how the Community Compact came into existence. The Lt. Governor and the Governor wanted 100% participation. Mr. Brougham was concerned about signing on and explained why to the Lt. Governor. She assured him that the money would not go away this time. This State administration has brought a lot of money to Belchertown and gave examples of all the ways we have received money.

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

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

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

Mr. Archible: Will attend a MPO meeting tomorrow. They will be voting for \$4.7 million tomorrow for the State and Maple Streets project.

Mr. Aponte: The Police Union Contract negotiations are moving along. He feels they are getting close. The EDIC will be electing their representative for the pilot subcommittee in the next couple of days. He's hopefully that they will be able to

convene the group soon so the Day School can come back before the Board of Selectmen.

Mr. O'Connor: Just a reminder that the Art Walk sponsored by the Cultural Council will be held this Saturday. Many restaurants are participating as well as different activities throughout town. He also attended the School Committee budget that was held for the public. There were not a lot of questions from the public this year; he felt it went very well.

Mr. Aldrich: She attended the Library Trustees meeting last week. A new sidewalk was put in at the library recently. They were very thankful that their needs are being met in the upcoming budget. On Monday the new Senior Center Director will be starting.

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


10) **Adjournment:** Meeting adjourned at 8:50 p.m.

Minutes submitted by Gary L. Brougham, Town Administrator

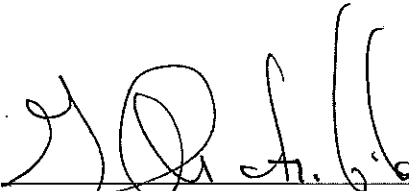
Board approved/endorsed: May 29, 2018

Board of Selectmen - Town of Belchertown

Endorsed by a majority:

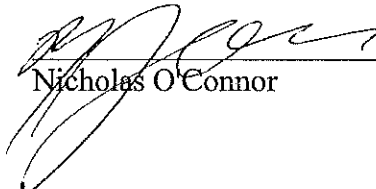


Brenda Q. Aldrich, Chairman



George D. Archible

Ronald E, Aponte



Nicholas O'Connor