

**TOWN OF BELCHERTOWN
BOARD OF SELECTMEN'S MEETING MINUTES
MONDAY, MAY 22, 2017
Selectmen's Meeting Room, Lawrence Memorial Hall**

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

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 #1747 was signed for \$1,947,960.97.
- b) Routine documents
- c) Approval of Minutes: Mr. O'Connor moved the Board accept the minutes of April 10, 2017. Mr. Aponte seconded the motion. Motion passes 5 – 0. Mr. O'Connor moved the Board accept the minutes of April 24, 2017. Motion seconded by Mr. Aponte. Motion passes 5 – 0. Mr. O'Connor moved the Board accept the minutes of May 8, 2017. Motion seconded by Mr. Aponte. Motion passes 4 – yes, 1 – abstain (Barnett).

3) Additions to the Agenda:

- Appoint Assistant Animal Control Officer: Mr. Aponte presented the details to the Board. Anna Fenton, Animal Control Officer is requesting and recommending the Board appoint Wendy LeSage as the assistant animal control officer, effective immediately with a term to expire April 30, 2018. Motion seconded by Ms. Aldrich. Motion passes 5 – 0.

4) Appearances Before the Board:

- 7:33 p.m. Pole Hearing #2017-05, Summit Street: Mr. O'Connor read the public hearing notice and opened the pole hearing. Diane Klauz was present representing National Grid. Pole #20 ends the line and is referred to as a dead end pole meaning the wires end there. The curvature of the road doesn't allow for a sufficient lead and that is why the pole is leaning over. There is no way to extend the guyed wire further on this pole. They want to place a stub pole across the street with a guyed wire to pole #20.

Mr. Archible spent time with Steve Williams, Director of Public Works today who felt there would be no problem with this placement but there are residents in the audience who have concerns.

Denise Forgue spoke on behalf of her sister who lives at 78 Summit Street (Bonner). They understand the pole needs support but when the leaves are down the new pole is going to be right in their line of sight from their kitchen window. They are asking for the pole to be placed to the left of the proposed site.

Ms. Klauz stated that the shifting of a pole for a guyed pole is not possible. She explained that the guying of the pole has to be in line with the wire in order to hold it otherwise you pull the pole in the direction of where you have shifted the guying pole. The resident questioned if there could be a pole put in place to brace the leaning pole. They were told it could be a possibility but it does not look as nice. The residents also don't want any tree cutting. They were told that it would probably require at least tree trimming. Ms. Klauz will bring this back to National Grid to look at the possibility of a push brace.

Mr. Brougham indicated that Summit Street is only 33 feet wide and depending on where the pole is on the easement a push brace may require another approval because it may be off the town easement. Ms. Klauz agreed because they need to go 15 feet out.

Mr. O'Connor moved to continue the hearing to June 12th. Motion seconded by Mr. Aponte. Motion passes 5 – 0.

- 7:38 p.m. Pole Hearing #2017-06, South Washington Street: Mr. O'Connor read the public hearing notice and opened the hearing. The purpose of the placement is to provide service to Lot #3, South Washington Street.

Ms. Klauz indicated that the span between the existing two poles is 301 feet which is a very long span to provide service to two homes. A pole is being added right in the middle of the span right under the existing wire.

The director of public works had no concerns. There were no resident concerns. Mr. O'Connor moved to close the hearing. Motion seconded by Mr. Aponte. Motion closes 5 – 0

Mr. Aponte moved to grant petition # 2017-06. Motion seconded by Mr. O'Connor. Motion passes 5 – 0.

5) Discussion/Action Items:

- a. Statement of Employer Support of the Guard and Reserve (ESGR): Mr. Archible presented the details to the Board. The request came from the Veterans' Service Advisory Board. It is for the town to show support of the Reserves / National Guard.

Mr. Archible moved the Board support the Statement of Employer Support of the Guard and Reserves. Motion seconded by Mr. Aponte. Motion passes 5 – 0.

- b. FY18 Unleaded Gasoline Contract – Roberts Energy, LLC: Mr. Archible presented the details to the Board. Mr. Archible moved the Board authorize the Chairman to endorse the FY18 Unleaded Gasoline Contract with Roberts Energy, LLC. Motion seconded by Mr. Aponte. Motion passes 5 – 0.
- c. FY18 Diesel Contract – Roberts Energy, LLC: Mr. Archible presented the details to the Board. Mr. Archible moved the Board authorize the Chairman to endorse the FY18 Diesel Contract with Roberts Energy, LLC. Motion seconded by Mr. Aponte. Motion passes 5 – 0.

- d. Review Common Drive Special Permit Application – RAMA Development, LLC – Pine Street: Mr. Aponte presented the details to the Board. This is a special permit application for property on Pine Street. There is a proposed common drive to service multiple proposed homes to be built.

Mr. Archible stated it is for six homes to be built on Rt. 181 right before Pine Street. The contractor wants to use Pine Street as the entry way to the common drive for these homes but their address will be Franklin Street. He is concerned because when you look left to come out of Pine Street onto Rt. 181 it is very dangerous. He feels there will be confusion if there is an emergency call to these homes when the address is Rt. 181 but the entrance is Pine Street. It will be one right away for all six proposed homes. The contractor will be saving money at the risk of jeopardizing safety. He is very concerned regarding this plan. Mr. Aponte agreed with Mr. Archible.

Mr. Brougham expressed his concern that this is a very ambitious plan that benefits no-one but the developer. It is an admissible plan but the common drive is only 18 ft. wide with the cul-de-sac being 30 ft. long while our fire trucks are 35 ft. long. The applicant also has a second project ongoing on Depot Street. After many objections from the abutters on the Depot Street project the applicant was approved for four duplex units which were supposed to be condos. He built one and had difficult selling it. He is building a second structure that is a single family so there is already a blatant violation of the special permit that was issued by the planning board. He feels it would be most unfortunate if this plan is approved as submitted as there are too many red flags in it.

Mr. Archible moved the Board recommend to the planning board and conservation commission and whoever else is involved not to allow this. Motion seconded by Mr. Aponte. Motion passes 5 – 0.

- e. Right of First Refusal – Robert A. Morra and John D. Roda, Jr. – Map 276-106, Lot 5, Pine Street: Mr. Barnett presented the details to the Board. Both the Conservation Commission and the Planning Board recommend the Board not exercise their right of first refusal on this property. Mr. Barnett moved the Board not exercise its right of first refusal of Lot 5 on Pine Street, Map 276-106. Motion seconded by Mr. Aponte. Motion passes 5 – 0.
- f. Right of First Refusal – Carol A. and Melanie E. Spellman – Map 272, Lot F, Bardwell Street: Mr. Barnett presented the details to the Board. The Conservation Commission and Planning Board have recommended the Board not exercise their right of first refusal on this property. Mr. Barnett moved the Board not exercise its right of first refusal on Lot F, Bardwell Street, Map 272. Motion seconded by Mr. Aponte. Motion passes 5 – 0.
- g. Right of First Refusal – Carol A. and Melanie E. Spellman Lot I, Bardwell Street: Mr. Barnett presented the details to the Board. Both the Conservation Commission and Planning Board have recommended the Board not exercise its right of first refusal on Lot I, Bardwell Street. Mr. Barnett moved the Board not exercise its

right of first refusal on this property. Motion seconded by Mr. Aponte. Motion passes 5 – 0.

- h. Right of First Refusal – Daniel F. and Susan C. Rudy – Parcel D-1, North Liberty Street: Mr. Barnett presented the details to the Board. The Conservation Commission and the Planning Board have recommended that the Board not exercise their right of first refusal on Parcel D-1, North Liberty Street. Motion seconded by Mr. Aponte. Motion passes 5 – 0.
- i. Endorse Dog Warrant: Mr. Aponte presented the details to the Board. The Board must annually endorse the Dog Warrant as specified in Chapter 140 of the Massachusetts General Laws. It authorizes animal control to act in their official capacities. Mr. Aponte moved the Board endorse the Dog Warrant. Seconded by Mr. O'Connor. Motion passes 5 – 0.
- j. Endorse State House Notes – Borrowing for Parson's Field Improvements: Mr. Aponte presented the details to the Board. It is to fund the Parsons Field improvements.

Mr. Aponte moved the Board endorse State House #996 in the amount of \$310,000 for 1 year at a rate of 1.24% for Parson's Field improvements. Motion seconded by Ms. Aldrich. Motion passes 5 – 0.

Mr. Aponte moved the Board endorse the Certificate of Town Clerk certifying the borrowing authorization per town meeting. Motion seconded by Mr. O'Connor. Motion passes 5 – 0.

Mr. Aponte moved the Board endorse the Certificate and Designation, tax exemption requirements of the internal revenue service. Motion seconded by Ms. Aldrich. Motion passes 5 – 0.

- k. Adopt Section 21-22 of MA General Law 32B: Mr. Barnett presented the details to the Board. Lisa Banner, Treasurer has requested the Board vote or announce its intent to vote to adopt Section 21-22 of MGL 32B which authorizes or provides official notification to the unions or bargaining groups of the town's intent to make benefit changes to the health insurance plans.

Mr. Barnett moved the Board adopt Section 21-22 of MGL 32B. Motion seconded by Mr. Archible. Motion passes 5 – 0.

- l. Appointment of Assistant Treasurer-Collector: Mr. Barnett presented the details to the Board. Lisa Benner, Treasurer-Collector is seeking the reappointment of Jane Wolfe as the Assistant Treasurer-Collector. Mr. Barnett moved the Board reappoint Jane Wolfe to the position of Assistant Treasurer-Collector for a period of July 1, 2017 through June 30, 2018. Motion seconded by Mr. Aponte. Motion passes 5 – 0.
- m. Request to Close on Monday, July 3rd: Ms. Aldrich presented the details to the Board. Town Hall and other non-essential building are asking for permission to close on Monday, July 3rd so that employees can have a four day weekend with the 4th of July holiday. The employees would be required to use their personal/vacation time for this day. Ms. Aldrich moved the Board approve the

request for the non-essential employees to be off on July 3rd utilizing their benefited time. Motion seconded by Mr. O'Connor. Motion passes 5 – 0.

- n. **Vote to Release Easement at 62 Maple Street:** Mr. Brougham presented the details. When the post office was built there was a plan in place to put a subdivision in behind it all the way to Howard Street.

The property owner at the time thought it would be beneficial to him and the towns to have utilities easements coming off Maple Street to cross connect water and sewer. That plan never happened and the property has changed hands. Also a house has been constructed at 62 Maple Street that sits considerably off the road. The owner of this house wanted to build an addition and found there is a utility easement on his property held by the Town of Belchertown and the Belchertown Water District.

It has been asked that the town release those easements with the understanding there is no use for them. He has spoken with Steve Williams and the Water District and all parties are in agreement that there is nothing that this easement does for the town or the water district.

He is asking that the Board authorize the Chairman to endorse an acknowledgement of non-acceptance. The office researched and there was never an official vote by the Board to accept this easement therefore they can now vote to acknowledge non-acceptance of this easement.

Mr. O'Connor moved the Board vote to release the easement at 62 Maple Street. Motion seconded by Mr. Aponte. Motion passes 5 – 0.

- o. **Reorganize the Board / Discuss Liaison Duties:** Mr. Archible moved to appoint Brenda Aldrich as chairman of the board. Motion seconded by Mr. Aponte. Motion passes 5 – 0.

Mr. Aponte moved to appoint Nick O'Connor as the vice-chairman of the board. Motion seconded by Mr. Barnett. Motion passes 5 – 0.

Mr. Archible moved to appoint Ron Aponte as clerk of the board. Motion seconded by Mr. O'Connor. Motion passes 5 – 0.

- p. **Miscellaneous Matters:**

- 6) **Town Administrator's Report:** The Town received a check from Pathfinder for \$4,255 as they received money back from the roof project.

Bell and Hudson had their 13th annual Putt-a-Thon on Friday and it was a huge success. They raised over \$60,000 at this year's event. They have raised a total of \$630,000 for this event in the last 13 years.

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

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

Mr. Aponte: On June 9th at 10:00 a.m. there will be groundbreaking ceremony on the former state school grounds for Christopher Heights of Belchertown Assisted Living Facility.

He congratulated Ms. Aldrich on her hard earned victory in being re-elected to the Board of Selectmen. He also congratulated Heidi, Ms. Shankman and Mike Knapp on their wins. It was nice to see that there were contests on these races.

Mr. O'Connor: Appreciated everyone who came out to vote. Congratulations to the winners.

At the next meeting he wants to have a discussion regarding quarterly tri-board meetings regarding budgets.

Ms. Aldrich: Thanked all those that came out and voted for her to be re-elected. She also congratulated all the candidates that won.

On July 9th BARC will be holding a ribbon cutting ceremony and open house for the new animal control facility.

Mr. Archible: He has been getting beat up by why he moved at the annual town meeting to postpone the voting on withdrawing from the Hampshire Council of Governments. The Board voted 4 – 1 to place the vote on the warrant for the annual town meeting. He also sent a letter to the HCOG in October of 2016 letting them know the town had concerns and the town was seriously considering putting them on notice that we were going to vote to withdraw. A second letter was sent at a later date expressing the same.

Three weeks ago a letter was sent to HCOG asking for a financial disclosure. Mr. Barnett has indicated they made a million dollars but the HCOG is indicating they don't have a financial statement available. Mr. Archible wants the residents of the town to know that his loyalty is to this town and not the HCOG. Mr. Barnett is employed by the HCOG, he gets a stipend. He brought a document to the meeting 15 minutes prior to the meeting that would vote to withdraw from the HCOG stating we didn't give them the appropriate notice that we were voting to withdraw. Mr. Barnett claimed to not have known where the letter came from yet his signature is on the document dated back in 2015.

Mr. Barnett clarified it is not a letter but that it is a bylaw for the HCOG. He also stated that the HCOG does have their financial statements but they don't have an audited statement. There was a hold up but he suspects that it will be available shortly. Mr. Archible asked the town administrator to obtain the financial statement from the HCOG.

Mr. Brougham indicated he took responsibility for the technical error at the town meeting. The warrant was posted 45 days and the omission that was pointed out by

Mr. Barnett was in the administrative code. He went on the website and downloaded the charge and did not find anywhere that says anything about the administrative charge. He feels it was common knowledge that this vote was going to take place at the town meeting. After further review it was found that the administrative charge is where the 30 day mandate is contained but that is not available on-line. That document was signed by Mr. Barnett back in 2015. The town meeting was continued and we have posted accordingly for this vote to happen on June 19th.

Mr. Barnett stated he would have like to have done it then but it was pointed out to him if the town did the vote wouldn't count.

Mr. Brougham clarified that we had requested an independent auditor's report and that has been denied because it is not available.

- 9) **Questions from the Press:** Steve Hill from *The Sentinel* questioned if any town employees are members of the reserves / National Guard. Mr. Brougham indicated that there are.

He also asked for clarification regarding the gas and diesel contracts. Mr. Brougham provided him with the information.

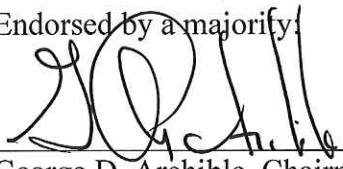
- 10) **Adjournment:** Meeting adjourned at 8:35 p.m.

Minutes submitted by Gary L. Brougham, Town Administrator

Board approved/endorsed: June 26, 2017

Board of Selectmen - Town of Belchertown

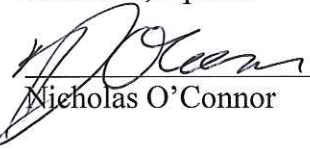
Endorsed by a majority:


George D. Archible, Chairman


Brenda Q. Aldrich


Ronald E. Aponte


William R. Barnett


Nicholas O'Connor