

**TOWN OF BELCHERTOWN  
BOARD OF SELECTMEN'S MEETING MINUTES  
MONDAY, AUGUST 27, 2018  
Selectmen's Meeting Room, Lawrence Memorial Hall**

**Present:** Nicholas O'Connor, George D. Archible, Gail Gramarossa, Brenda Q. Aldrich, Ed Boscher

**Call to Order:** Chairman O'Connor called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

**2) Sign Documents:**

- a) Warrant #1909 was signed for \$684,457.42.
- b) Routine documents
- c) Approval of Minutes: Mr. Archible moved to accept the executive session minutes of May 3, 2018. Motion seconded by Ms. Aldrich. Motion passes 3 – yes, 2 – abstain (Gramarossa, Boscher).

**3) Additions to the Agenda:**

**4) Appearances Before the Board:**

- 7:03 p.m. Pole Hearing #2019-01, Stebbins Street: Ms. Gramarossa read the public hearing notice and opened Pole Hearing #2019-01. This is for one singly owned pole by National Grid on Stebbins Street

Diane Clowes from National Grid was present for the hearing. This pole is to provide service to a new home being built. It wasn't possible to go onto private property so they are asking for a service pole at that location. Steve Williams, DPW Director stated that the placement is acceptable. Mr. Archible moved to close the public hearing. Motion seconded by Mr. O'Connor. Motion passes 5 – 0.

Mr. Archible moved to grant petition #2019-01. Motion seconded by Ms. Aldrich. Motion passes 5 – 0.

- 7:10 p.m. Planning Board – Joint Appointment of Planning Board Member: Jim Natle, Chairman of the Planning Board called the Planning Board meeting to order. The vacancy before the Boards tonight is for a full member to the Planning Board. There are two applicants seeking appointment with one vacancy. They are Alice Knittel and Justin Rosiensi who has been the alternate voting member on the Planning Board for special permits.

Mr. Natle asked the applicants to tell the Boards a little bit about themselves. Ms. Knittel has been a resident of Belchertown for the last nine years. She is a retired clinical pharmacist from the VA in Northampton. She is an adjunct instructor at Western New England Pharmacy College.

Mr. Rosiensi stated that he grew up in Granby. He attended Westfield State University and obtained a bachelor degree in environmental science as well as in geography and regional planning. He worked for Environmental Compliance Services doing gas station remediation and tank testing. He moved into a quality control lead job at a plant in Springfield where they made safety material that goes into glass. He feels he has done all he can do with his environmental science degree. He feels this is a good opportunity to progress with his geography and regional planning degree. He and his wife live in Belchertown.

Mr. Natle reminded the candidates that this seat goes until the next election (May 2019). They are hoping to get someone who will run for re-election. They want someone who wants to continue on with the Planning Board. Both candidates stated that they are willing to stay on the Planning Board.

Mike Hofler, Planning Board member questioned if the candidates have the backbone to say no to people that they go to church with or see on a regular basis or to be able to say no to a friend because what they are asking is not in compliance with the Town's bylaws. Mr. Rosiensi stated the vote needs to be in the best interest of the Town and not what the applicant may want. He learned about all this in school and learned how to deal with it. Ms. Knittel stated that it is very important to be able to listen to the people who are speaking and knowing what is in front of you to make a decision. She is used to dealing with people who are always right and having to explain to people why something needs to be done a different way. It is important to have good guidelines for the Town.

Dan Beaudette, Planning Board member commented that both candidates are experienced enough in education and life to be able to serve on the Board. It has been the practices of the Planning Board in the past to have an individual have some experience as an alternate voting member for special permits so that they get some experience. When there has been a vacancy it has been the practice to move that person up to a full member.

Selectman Archible stated that it would be difficult for him to vote when he only has five minutes to make a decision. This is such an important position and he doesn't know enough that he has to pass.

Ms. Gramarossa thanked both candidates for putting their names in for consideration. As she has attended Planning Board meetings and public hearings she feels the question asking if they could handle making unpopular votes with friends/neighbors is a really good one. She did question their plan, knowing that there will be some very important decisions coming up in the near future with what is going on in Town currently, of getting up to speed on zoning and other issues. Mr. Rosiensi stated that he is hoping the rest of the Planning Board can guide him in the process. He feels he can make his own decisions on placement on projects. He is more uncomfortable with the "emotions" of the Town and not necessarily how a neighbor feels. He reads the bylaws as he receives a lot of emails from the Planning Board. Ms. Knittel stated she is counting on having the guidelines available to her so she can read and learn them just like she did with all the pharmacy regulations. She will also need to learn the proper procedures such as knowing time lines and who makes motions and who seconds it. She has been very impressed with the people who serve on the Board.

Ms. Aldrich thanked both candidates for submitting letters of interest.

Mr. Boscher also thanked them for coming in to be interviewed. It is more difficult than you think saying no to neighbors/friends. He read both letters from the candidates and the hard part is that they only had about five minutes to interview each. It is an impossible decision to make so he feels he has to defer to what the Planning Board votes.

Mr. O'Connor stated he feels the same way as Mr. Archible. He was interested in hearing the comments of the candidates. Training and familiarity is inherent. It is very technical. It is a huge benefit if someone comes in with some knowledge of the workings of the Planning Board. He feels it should be deferred to the Planning Board.

Ms. Gramarossa questioned if there was State wide training for new Planning Board members like she went to when she became a Selectman. Mr. Albertson, Town Planner indicated the Planner Training Collaborative has been used to come in where the Planning Board hires an expert and they come in a do a seminar. Courses are offered throughout the State on planning, subdivision, zoning, how to read a site plan and others. The fall brochure should be coming out soon.

Mr. Natle motioned the Planning Board appoint Justin Rosiensi as a full member of the Planning Board and hopefully Ms. Knittel will take the position as Alternate Voting member for Special Permits. Motion seconded by Mr. Beaudette. Mr. Hofler stated he is of an engineering background and a technical background looked at the background of Ms. Knittel and her degrees. He looks at the regulation, rules and bylaws as being the most important and in all honesty he would vote for Ms. Knittel. Mr. Natle called for a vote from the Planning Board. Vote passes 3 –yes, 1 – no (Hofler).

Ms. Aldrich stated that she knows Ms. Knittel and questioned if she can become the alternate voting member for special permits. Mr. Albertson commented that if she is willing, she could be appointed as the alternate this evening. He did not believe it had to be advertised.

Mr. Natle stated his motion was to appoint Justin but could amend it to also recommend that Ms. Knittel would be the alternate voting member for special permits.

Mr. O'Connor felt the Board of Selectmen needed to vote on the first motion. He moved the Board of Selectmen support the Planning Board's majority vote. Motion seconded by Ms. Aldrich. Vote passes 4 – yes, 1 – abstain (Archible).

Mr. Natle motioned that as Mr. Rosiensi had been appointed he questioned if Ms. Knittel would be interested in the position of alternate voting member to special permits. It was explained that she could be called in to vote on issues as needed. Ms. Knittel accepted. Motion seconded by Mr. Beaudette. Motion passes 4 – 0.

Mr. O'Connor moved the Board of Selectmen support the Planning Boards vote to appoint Alice Knittel as the alternate voting member to special permits. Motion seconded by Ms. Aldrich. Motion passes 4 – yes, 1 – abstain (Archible).

Mr. Hofler moved the Planning Board meeting adjourn at 7:37 p.m. Motion seconded by Mr. Spiro. Motion passes 4 – 0.

**5) Discussion/Action Items:**

- a. Front Street: Order of Taking/Easements: Mr. Archible asked Steve Williams to present the details to the Board. Mr. Williams indicated there are two documents for the Board's consideration, neither of which can be signed tonight because they require a notary. The vote will be to endorse both documents. The first document is an Order of Taking for the right of way of Front Street. It is the next to final step in the process. Once the vote is taken and the document is signed Town Counsel will perform the taking and record the document at the Registry of Deeds.

The second document is the easement with the Belchertown EDIC whose land the majority of that land that road actually lies within. They are providing those easements through a grant of an easement where with the other four property owners we are doing an Order of Taking. It is a legal formality that seals the legal process so that in the future

there is no question as to who the right of way belongs to. He is asking the Board members to endorse both documents.

The Town Administrator offered as an alternative to the Board not signing tonight is that the Board move to endorse them and that one member who is available to sign tomorrow or the next day abstain from signing tonight and go in and sign in front of the Town Clerk who can notarize the documents. It will prevent all members from having to come in and sign in front of the notary.

Mr. O'Connor moved the Board endorse the documents as described by Mr. Williams. Motion seconded by Ms. Gramarossa. Motion passes 5 – 0. Ms. Aldrich will come in and sign before the notary.

- b. Review ZBA Special Permit Application – Gary Mescon and Mighty Xee, 111 Channel Drive: Mr. O'Connor asked the Board to review the narrative and the petition. Mr. Brougham presented the details to the Board. The Board had no concerns and remanded the application back to the Zoning Board of Appeals. The Board of Selectmen asks that the ZBA address all public concerns as well as those from other Town boards and committees.
- c. Review Site Plan – Citrine Power, LLC, 206 Jabish Street: Gary Brougham, Town Administrator disclosed his interest in this project as he is the Chairman of the Water District Commissioners. Mr. Boscher questioned who gets the revenue if the Belchertown Water District is the property owner. He was told that the land lease will go to the Water District and the PILOT will go to the Town. Mr. O'Connor questioned if the Water District was a separate entity from the Town. It was confirmed that it is a separate corporation and not part of the Town. The Board had no concerns and remanded it back to the Planning Board for their review. The Board of Selectmen asks that the Planning Board address all public concerns as well as those from other Town boards and committees.
- d. Review Site Plan – Citrine Power, LLC, 763 Federal Street: Mr. O'Connor commented that this project is on the Daigle Well property. Ms. Gramarossa commented that at the Conservation Commission meeting she attended regarding this project there were abutters who have a number of significant concerns that the Conservation Commission will be looking into. Ms. Aldrich and Mr. Boscher indicated they have also received phone calls regarding this project with residents expressing their concerns. Mr. Boscher asked for clarification regarding why the Water District owns the property with the previous site plan review but the Town owns this property. Mr. Brougham explained that the Town had applied for a grant to develop the Daigle Well in partnership with the Belchertown Water District. The Water District operates that well field; technically the Town owns it. The application was submitted on behalf of the Town as the landlord and the benefactor of the PILOT agreement. Mr. O'Connor confirmed the least payments will go to the Town.

Mr. Boscher asked for further clarification as he did not understand why the Water District owns the Well in the previous application but the Town owns it in this one. Mr. Brougham explained that the original water source was on Jabish Street but as the Town grew and with the greater need for additional water a feasibility study was done. The study identified the Daigle Aquifer as a potential site and with further testing it was decided that would be the site of the Well. A US-RDA Grant was applied for and received that built the well and the pump station with the pipe being installed from Federal Street all the way back to the top of Bay Road to connect with existing infrastructure. It was always said that when the loan was paid off the Town would transfer the Well to the Water District but it never happened. On a normal basis the Water District operates the Well, it pays all the maintenance, all the up-keep on it, pump repairs, testing, analytical work.

Mr. O'Connor indicated the Board of Selectman would remand this plan back to the Planning Board for their review. The Board of Selectmen asks that the Planning Board address all public concerns as well as those from other Town boards and committees.

- e. Accept Resignation from Town Common Lighting Committee: The Board acknowledged the resignation of Andrea Filipkowski from the Town Common Lighting Committee. A letter will be sent to Ms. Filipkowski thanking her for her service to the Town.
- f. Accept Resignations from Cultural Council: The Board acknowledged the resignations of Jennifer Meighan and Heather Benedetti from the Cultural Council. Letters will be sent to Ms. Meighan and Ms. Benedetti thanking them for their service to the Town.
- g. Appoint Member to Cultural Council: Per the recommendation of Jen Turner, Chair, Belchertown Cultural Council, Ms. Gramarossa moved to appoint Nicole Carlson to the Cultural Council, term to expire June 30, 2019. Motion seconded by Ms. Aldrich. Motion passes 5 – 0.
- h. Appoint Election Workers and Assistant Registrar of Voters/PHS: Per the recommendation of Colleen Toothill-Berte, Town Clerk, Mr. O'Connor moved to appoint Clair Partridge as Precinct Coordinator; Robert J. Hansbury, Christina M. Aponte, Carol B. Walker and Paul D. Geoffroy as Precinct Wardens; Bernette Daly, Gail Miron, Christine Babineau and Erica Morrison Bazitis as Precinct Clerks with terms to all expire on August 31, 2019. Motion seconded by Ms. Aldrich. Motion passes 5 – 0.

Per the recommendation of the Town Clerk, Mr. O'Connor moved to appoint Robert J. Hansbury as the Assistant Registrar of Voters to the Belchertown High School, term to expire March 31, 2019. Motion seconded by Mr. Boscher. Motion passes 5 – 0.

- i. Amend Membership of Patrick Center Re-Use Committee: Mr. O'Connor reminded the Board it was discussed at their last meeting to amend the membership to include department heads to hopefully take more rapid action on some of the decisions that are made. There will be open meetings with public input. The Board is still waiting on names from a few departments.

The Board agreed that appointments will be tabled until all names have been received.

- j. Remand Zoning Review Request: Mr. O'Connor commented that he was not at the Special Town Meeting held on August 20, 2018. He deferred the discussion to Mr. Archible who served as Chairman at that meeting.

Mr. Archible moved the Board remand this back to the Planning Board as voted on by the Town at the Special Town meeting. Motion seconded by Mr. O'Connor. Mr. O'Connor reminded everyone that the language voted on at the Special Town meeting is non-binding. It is being remanded back to the Planning Board for their evaluation which is the intent of the citizens. He has some concerns around the language and the way it was written with language something like “shall never, ever”. The Planning Board will review the Zoning Review requests. Motion passes 5 – 0.

- k. Update/Discuss Marijuana Host Agreement: Ms. Gramarossa presented an update regarding the Marijuana Host Agreement. She thanked Mr. Beaudette for the draft agreement that he wrote up for the committee. She feels the Board has done a good job with looking at the options and what is good for the Town. There is a good balance on what can be requested of the businesses and what is in the best interest in the Town.

Mr. Brougham is putting together a group to go look at one of the businesses that is already up and running in another community.

Ms. Aldrich commented that people are calling and asking why we are doing this. She reminded everyone that the community voted to move forward with this. She is happy to know that it is being looked at very carefully by the Town departments.

Mr. Brougham commented that he felt the task was bigger than he envisioned. It started with three major objectives. They had to make sure that they have an agreement with a business owner that is enforceable and that the property is operated within the context of the law and the Town's interest is protected. Mr. Beaudette has been a big help with the legal side of it. The Town Administrator questioned once the Host Agreement is complete who is going to sit down with these vendors and negotiate. The Committee will not do that. The business owners will also have to do a community outreach meeting.

One of the pre-requisites for having a State License is having a signed Marijuana Host Agreement. One of the vendors who is interested in both cultivating and selling is questioning if there would be any harm with going into the public hearing phase for the host agreement. The Town Administrator commented he does not have a problem with it. He will need to have a license. It is possible that the agreement may be complete while he is advertising his public hearing. Mr. O'Connor is a little reticent as the Board has not seen the agreement. He wants to see the agreement first. He doesn't think it will need to be held off that long.

Ms. Gramarossa questioned if the Town has any ability to guide them in the community outreach meeting that they are mandated to do. She wants to have as much community input as possible in these meetings.

Mr. O'Connor commented that the Board will be reviewing the Draft Marijuana Host Agreement at their next regularly scheduled meeting. Board members should receive the draft prior to the meeting so that they can come prepared with any concerns they may have. There should also be a separate agenda item to discuss who will do the negotiating of the agreement.

1. Discuss Solar Tax PILOT Agreement Procedure: Mr. O'Connor commented this is an agreement of who we are enabling to discuss and negotiate the PILOTs themselves on an approved project. He asked Mr. Brougham for his comments regarding the discussion. The three approved projects ratified with solar developers were negotiated with the Director of Assessments, himself and occasionally seeking advice from a tax consultant who negotiated many of these throughout the State. The folks who are looking to develop in the south end of Town are asking to sit down and work up an agreement. He questioned if we would be repeating the same process in the past with Jay Whelihan, himself and when necessary the tax consultant or Town Counsel would do the negotiations.

As the group that has done the negotiating in the past has experience, Mr. Archible moved that Jay Whelihan, Director of Assessments; Gary Brougham, Town Administrator and Town Counsel and the tax consultant continue to negotiate the Solar Tax PILOT agreements. Motion seconded by Ms. Aldrich. Mr. O'Connor had no objection to continuing the process as it's been. He clarified this is to negotiate the rate of the PILOT. Motion passes 5 – 0.

- m. Discuss Social Media Policy: Mr. O'Connor commented that this is one of the tasks the Board has discussed in previous meetings regarding modernization such as using an iPad, reducing dependency on paper and the Town website. It was suggested that the items be worked on one at a time.

He clarified that the social media policy is not intended to make people use social media if they are not using it already. It is a management decision. This is a guideline for the

departments or committees that want to engage in using social media. He doesn't want to see anyone getting in an open meeting violation. It is a guidance document for those who elect to take part in social media on behalf of the Town. It is not to incentivize the Board of Selectmen to have a Facebook page. He believes there should be a defined policy for the Town. It doesn't mean we need to use social media in Town but if they are going to there should be a template to be used.

Mr. O'Connor asked Ruby Bansal, School Committee member to stand up. She is the one who got him thinking about the need for guidelines. She commented that the school committee has had a Facebook page for about a year. She used Facebook when she ran for the School Committee and wanted to know what the rules were for having her own personal page and using the School Committee page. She reached out to Mr. O'Connor questioning if the Town had guidelines for social media use and was told there were none.

Mr. O'Connor commented that there is no vote to be taken. He wanted to clarify what the intent was. He is supportive of the Town Administrators suggestion to not build a committee but to work on one task and once completed move on to the next task. He doesn't want to overburden anyone with this. Ms. Gramarossa was in agreement. She has had feedback that it is not easy to find time about town meetings or committee meetings and that the website needs to be updated. Mr. O'Connor would like to work with Ms. Gramarossa to see what the Town of Ware prepared as guidelines for their social media to use a jumping off point. He also wants to poll the groups/departments that are utilizing social media currently. They will also have to call out the Mass General Laws regarding social media use.

The Town Administrator commented that it is important to separate the town website from social media sites. The website makes announcements but is not interactive. He would like to see the website upgraded as it antiquated. On the social media site he urges caution as he gets daily warning from labor and electronic attorney's and the use of social media. There are concerns about consensus building. Our IT Director has indicated that a town wide social media site will require an archive site for data to be retrieved in case someone submits a request for public information. He estimates that it will cost \$7 to \$10 thousand dollars. Mr. O'Connor clarified he is not suggesting that the Town have a social media site. Ms. Aldrich questioned what happens if the Recreation Department posts on social media and then three selectmen comment does that violate open meeting laws.

A recent post on the Police Department's social media site caused some controversy. Aimee Henderson from *The Sentinel* commented that if social media was being used as an announcement or for information purposes comments could be turned off.

Mr. O'Connor and Ms. Gramarossa will work together to come up with guidelines and then will bring it back to the Board of Selectmen for their review.

n. Miscellaneous Matters: None.

6) **Town Administrator's Report:** He had no updates for the Board.

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

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

Mr. Archible: He has a MPO meeting tomorrow with Steve Williams in Springfield.

Ms. Gramarossa: She thanked everyone who came to the Special Town Meeting. She also wished everyone a safe and happy opening of school.

Mr. Boscher: He attended the Council on Aging meeting. One of the federal grants they are applying for requires the Town to update our affirmative action policy. One of their biggest needs is a new van for the Senior Center. They are doing some fundraising for it. The Council on Aging feels the staff at the Senior Center need id badges. It was brought up that the school department and the police department has badges and they feel their staff should also have them. Ms. Gramarossa thinks it is a really good idea. She feels it's a safety thing and helps identify staff.

He also mentioned that the Family Center moved their big fundraiser from the September 8<sup>th</sup> date so that SOAAR has full participation. A new date for their event will be scheduled in the future. Mr. O'Connor mentioned that both he and Ms. Gramarossa will be getting dunked at the SOAAR event.

Ms. Aldrich: Commented that Friday will be the end of an era as Sgt. William Panto retires. She was corrected to say that Thursday is actually his last day. He has been with the Town for 26 or 27 years. A BIG thank you to Sgt. Panto and all he has done for the Town. Congratulations!!

Mr. O'Connor: There were emails going back and forth between the New England Small Farm Institute and some residents that had raised an issue on Facebook about some No Trespass signs that had been put up on the trails. They were put up by a person leasing the land from NESFI. The signs have since been taking down. They were put up in error although the leasee does complain about a lot of public access and dumping of trash.

- 9) **Questions from the Press:** Lew Louraine from BCTV questioned the size of the marijuana public meetings. He questioned if it would be a high school meeting or a selectmen's meeting as he would like it to be held where they have cameras on the meeting. Ms. Gramarossa feels this would be part of the guidance the Board gives to the potential applicant. It's hard to know how many people will attend. The Board will want to make sure they reach the biggest audience that they can.

- 10) **Adjournment:** Meeting adjourned at 8:22 p.m.


Minutes submitted by Gary L. Brougham, Town Administrator

Board approved/endorsed: Sept. 24, 2018


Board of Selectmen - Town of Belchertown


Endorsed by a majority:

  
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Nicholas O'Connor, Chairman

  
\_\_\_\_\_  
Gail Gramarossa

  
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Ed Boscher

  
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George D. Archible

  
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Brenda Q. Aldrich