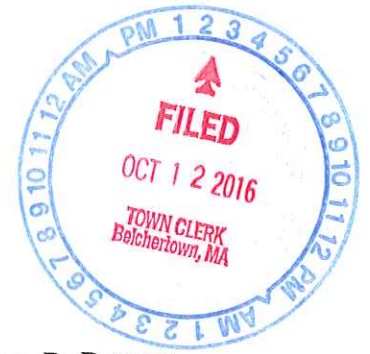


**TOWN OF BELCHERTOWN
BOARD OF SELECTMEN'S MEETING MINUTES
MONDAY, SEPTEMBER 12, 2016
Selectmen's Meeting Room, Lawrence Memorial Hall**



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 #1711 was signed for \$463,957.25
- b) Routine documents
- c) Approval of Minutes: Mr. O'Connor moved the Board accept the minutes of August 22, 2016. Seconded by Mr. Aponte. Motion passes 5 – 0.

3) Additions to the Agenda:

- Quit Claim Deed – Marguerite Brennan: Mr. Brougham presented the details to the Board. Ms. Brennan is essentially giving the land to the Town for \$1.00. It's a small parcel of land on Rt. 202 and adjacent to the Jabish Brook Conservation Area parking lot.. Town Counsel and the Conservation Administrator have worked on obtaining this deed from Ms. Brennan. It requires the signature of all Board members and it needs a notary. The Conservation Commission will also be acting on it this evening at their meeting.

Ms. Aldrich moved the Board endorse the deed from Marguerite Brennan on Daniel Shay Highway abutting the Jabish Brook Conservation Area. Seconded by Mr. O'Connor. Motion passes 5 – 0.

4) Appearances Before the Board:

- 7:33 p.m. Pole Hearing #2017-01, Bardwell Street: Mr. O'Connor read the public hearing notice and opened the hearing. It is to place one jointly owned pole on Bardwell Street to provide midline support for the existing pole line and to provide for the distribution of intelligence and communications and for the transmission of high and low voltage electrical current.

Andy Hufnagel from Verizon was present for the hearing. It is a request from the power company and the customer to place a mid-span pole to provide service to a new house. They worked with the Department of Public Works, the engineer in the field and the pole has been adjusted to accommodate for plowing.

Steve Williams, Director of Public Works indicated that they had met in the field and approved the location. There are no further concerns. He recommends that the Board approves the pole placement.

Mandy Patenaude from National Grid was also in attendance. She had no comments or concerns.

Mr. Aponte moved to close the public hearing. Seconded by Ms. Aldrich. Motion passes 5 – 0.

Mr. O'Connor moved to approve petition #2017-01, Bardwell Street. Seconded by Mr. Barnett. Motion passes 5 – 0.

5) Discussion/Action Items:

- a. Request to Close for Annual Holiday Luncheon: Mr. Barnett presented the details. A request has been submitted requesting that non-essential offices close on Friday, December 2nd from 12:30 pm to 3:00 pm for the annual employee holiday luncheon.

Mr. Barnett moved the Board allow the request to close for the annual holiday luncheon. Seconded by Ms. Aldrich. Motion passes 5 – 0.

- b. Accept Library Page Resignation: Mr. Archible presented the details. A letter will be sent to Ms. Finn thanking her for her service to the Town and wishing her luck with her studies.
- c. Review ZBA Special Permit and Variance Application – Plante, 546 Federal Street: Mr. O'Connor presented the details of the application. He asked Steve Williams to give further details. Mr. Williams indicated that he had reviewed the plans and indicated that the majority of the set back requests are not within his jurisdiction so he left those alone to be reviewed by the appropriate department. He does look at the front yard setback and how it relates to the town right of way. In this case he indicated the structure itself would encroach into the right of way. In his opinion its not a variance request; its an encroachment which has legal ramifications. He has requested that the variance for the front yard setback not be granted. He would like to see them come back with a more suitable plan.

Mr. Aponte stated the Board of Selectmen now gives the ZBA a suggestion regarding the application. He indicated that with ZBA decisions the town starts to worry about precedent setting. He feels the ZBA needs to consider the concerns that the DPW director has with this application.

Mr. Brougham stated there are very few legitimate factors that allow the ZBA to grant a variance. Depending on the circumstances the ZBA may have more lateral movement in granting the application; however, in this case there are seven major benchmarks that are non-compliant. They are looking to further non-comply with five of the seven non-compliant areas. There is little with this request that is complaint with the current zoning bylaws.

The Board will send this application back to the ZBA with their concerns noted. They ask that the ZBA pay careful attention to the concerns of the dpw director.

- d. Review ZBA Variance Application – Lacroix, 54 Pepper Ridge Drive: Steve Williams, Director of Public Works stated that he had also reviewed the ZBA variance application for 54 Pepper Ridge Drive. This request is for side yard

setback and the DPW doesn't have any infrastructure that would be impacted. He has no concerns.

Gary Brougham, Town Administrator stated with this house there is currently no non-compliance. If granted it would encroach on the side yard set back to eight feet; its currently 36 feet and 20 feet is required. As long as there is access to the back side of the house from the other side the ZBA might grant it. If there is no access to the backyard it could be a problem with granting the variance but the ZBA will make that decision.

Mr. O'Connor moved the Board return the application to the ZBA with the Board's concerns regarding access to the backyard. Seconded by Mr. Aponte. Motion passes 5 – 0.

- e. Review and Vote – Telecommuting Policy: Mr. O'Connor presented the details. He stated he had incorporated the changes the Board wanted in the policy that were agreed upon at a previous meeting. He read the changes to the Board. This would be a policy that is by exception and not as a substitution for attendance of regular meetings. A physical quorum of the boards is necessary; remote participation does not count towards the quorum.

Mr. O'Connor moved the Board accept the remote participation policy. Seconded by Mr. Aponte.

Ms. Aldrich questioned the Local Commission Disabilities and how that will affect the policy. Mr. O'Connor stated that the language came right from the States policy.

Ms. Aldrich also questioned what a reasonable time is allowed for connecting remotely to a meeting. She feels that there should be clarity across the board as to the amount of time a person has to connect to a meeting before they no longer are able to participate in that meeting. Mr. Aponte questioned if she meant a not to exceed time. She also questioned what happens if the call is disconnected during the meeting – how much time will be allowed to try and connect back into the meeting. Mr. O'Connor indicated the Board had discussed this in a prior meeting and had agreed to leave it up to each committee as they are all different. Mr. Aldrich wants there to be consistency across the board. The board will define reasonable efforts and a not to exceed time limit. Mr. O'Connor feels that the remote participant should call in five minutes prior to the meeting and if they are not hooked up when the meeting is scheduled to start the meeting begins without them. They will be able to call in after but will not be able to vote.

Mr. Barnett clarified the five reasons allowing utilization of remote participation as personal illness, personal disability, emergency, military service or geographic location. The board confirmed those are the allowable reasons for remote participation,

Mr. Archible does not support remote participation. He feels if you cannot participate in person you should not run for office or volunteer on committees.

Mr. Aponte feels limiting the reasons is the compromise to some of the concerns in allowing remote participation.

Ms. Aldrich suggested a year trial run – From October 2016 through October 2017.

Mr. Brougham does not support remote participation. He clarified the Board of Selectmen has sole authority to approve this and may limit the potential approval. He feels that it will be a logistical problem.

The Board agreed that the member must connect five minutes prior to the meeting, no greater than three meetings per year per member will be allowed. There will be a one year trial period for remote participation.

Mr. O'Connor will add the language the Board discussed for the next meeting at which time the Board will decide whether to advance the proposal for review by the various boards and committees.

Mr. O'Connor rescinded his motion and again stated that he will make the revisions and bring the policy before the Board at the next meeting.

- f. Endorse Release Deed – Patrick Center, 47 State Street: Mr. Aponte presented the details. This should be the last bit of paperwork that the Town needs to take care of for the purchase of the Patrick Center from DCAM.

Mr. Aponte moved the Board endorse the Release Deed for the Patrick Center. Seconded by Mr. Barnett. Motion passes 5 – 0.

- g. Endorse Grant Easement – Belchertown Renewables, LLC: Mr. Archible asked Mr. Brougham to give an update on this discussion. This is the solar project on the May Farm. The Town has entered into a solar pilot program that will pay the town nearly \$70,000 year one. It will peak out at year 20 having paid the town 1.8 million dollars in lieu of taxes on the solar equipment.

The easement will allow Belchertown Renewables to discharge the power from the west side of the site to the infrastructure on North Liberty Street. The parcel is Belchertown Assessor's Map 261, Lot #94.

Mr. Aponte moved the Board authorize the Chairman of the Board to endorse the Grant the Easement between the Town of Belchertown and Belchertown Renewables, LLC. Seconded by Mr. Barnett. Motion passes 5 – 0.

- h. Appoint Member to Scholarship Committee: Ms. Aldrich presented the details to the Board. There is an opening on the Scholarship Committee. She indicated that Donna Lusignan has submitted a letter of interest in this position.

Ms. Aldrich moved to appoint Donna Lusignan to the Scholarship Committee, term to expire June 30, 2017. Seconded by Mr. O'Connor. Motion passes 5 – 0.

- i. Right of First Refusal – May, 270 Franklin Street (Map 269, Lot 13): Mr. Aponte presented the tails reiterating the Town Administrator comments that the Planning Board had previously voted to not exercise the right of first refusal on this

property. The Conservation Commission has also voted to not exercise the right of first refusal.

Mr. Aponte moved the Board of Selectmen not exercise their right of first refusal for 270 Franklin Street. Seconded by Mr. O'Connor. Motion passes 5 – 0.

- j. Discuss Employee Conflict of Interest Disclosure: Mr. Barnett presented the details. Steve Williams, Director of Public Works for the Town has requested the Board's formal review and action specific to disclosure involving him. He holds an appropriate drinking water pump station operator and treatment license. He wants the opportunity to work on weekends, when he is not working for the Town, to use this license to work at the Water District.

Steve Williams was present and asked to speak on behalf of his request. He is seeking approval under the statute of a municipal employee seeking to be employed by another municipal agency within the same boundaries of town. He wants to be able to use his drinking water licenses at the water district for emergency purposes more than for employment. He stated that the conflict of interest disclosure needs to be approved by the Board of Selectmen as well as the Water District. He also is disclosing that his brother is employed at the Water District which needs to be on file but it doesn't have to be approved.

The Town Administrator responding as a Water Commissioner indicated that Mr. Williams would only be covering on weekends or in the event of an emergency.

Mr. Barnett moved to approve the conflict of interest. Seconded by Mr. Aponte. Motion passes 5 – 0.

- k. Award HCOG Winter Salt Bid #1124: Per the recommendation of Steve Williams, Director of Public Works, Mr. Archible moved to award HCOG Winter Salt Bid #1124 as follows:

- Sodium Chloride Rock Salt – Delivered

Primary: \$66.01 per ton
American Rock Salt
P.O. Box 190
Morris, NY 14610

Secondary: \$68.00 per ton
Apalachee, LLC
1423 Highland Avenue
Rochester, NY 14620

- Sodium Chloride Crushed Rock Salt Treated – Delivered

Primary: \$79.54 per ton
Cargill Deicing
24950 Country Club Blvd., Ste 450
North Olmstead, OH 44070

Secondary: \$80.01 per ton
American Rock Salt
P.O. Box 190
Morris, NY 14610

Seconded by Mr. Barnett. Motion passes 5 – 0.

- l. Executive Session – MGL Chapter 30A, Section 21, Subsections 1 and 3: Mr. O'Connor moved the Board enter executive session at the conclusion of their regular session pursuant to MGL Chapter 30A, Section 21, Subsections 1 and 3

and not to reconvene in open meeting. Seconded by Mr. Aponte. Roll call vote: Archible – yes, Aldrich – yes, O'Connor – yes, Aponte – yes, Barnett – yes.
m. Miscellaneous Matters: None.

6) Town Administrator's Report:

- With the Board of Selectmen signing the release deed for the Patrick Center the Town is very close to ownership. The check for it has been delivered to DCAM. The deed will be recorded tomorrow.
- This weekend is the set up for the fair. Tents will go up on Sunday around noon. If anyone can come up to spend a couple of hours and is willing to come by and help the Fair Committee would greatly appreciate it.

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

8) Individual Board Members' Reports:

Mr. Barnett: Not many people came out to vote. He also pointed out that Denise Andrews withdrew from the race for State Representative.

Ms. Aldrich: The recreation department did at movie night at the end of August at the Town Beach. The recreation staff did a wonderful job of putting the movie on. Many town residents were in attendance.

Officer Christopher Mayo had suggested that the police department hold a blood drive. The turnout for it was amazing, if you hadn't booked an appointment by early afternoon they were not taking walk-ins. She thanked the senior center for giving their space for the blood drive and to the seniors for volunteering to help.

She mentioned the passing of George Dion. He volunteered on committees in town and will be greatly missed.

Mr. O'Connor: Last Friday night there was the 2nd annual fund raiser for all sports in town which includes the recreation department, CYO, well as all the private organizations. It raised about \$10,000 last year. It was a very successful event again this year. He thanked those responsible for organizing the event.

He mentioned that he has been approached by the historical commission as they are having a hard time getting a quorum for meetings. They would like to add additional members to the committee. He questioned if the historical committee and the historical district by-law committee could be combined as they are both having difficulties with quorums. He will investigate if this is even possible as both committees seem open to the idea.

Mr. Archible: This past Thursday he, Gary Brougham, Claire O'Neil from Mass Development and several EDIC members met with Iron Duke Brewery of Ludlow. The brewery currently is located in the mills in Ludlow and is looking for a parcel of property with an old building. He is hoping that we can lure them into a parcel at the former State School property.

Mr. Archible questioned Mr. Brougham regarding the timeline to have a shovel in the ground for the Grantham Group. Mr. Brougham stated that the owner of the group anticipates ratifying his housing tax credit agreement with DHCD after the first of the year. He anticipates construction beginning in March of next year.

The treasurer-collector is reviewing reissuing some current debt and is inquiring on the sequence of the road construction to be considered for inclusion in this debt. He and the DPW Director will begin to re-engage the whole process on the loose ends of the road construction process and begin to prepare a bid spec to advertise this winter with the anticipation of spring construction on the road.

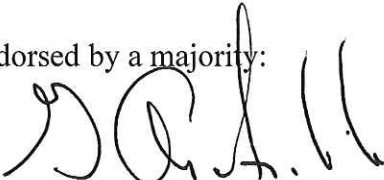
- 9) **Questions from the Press:** None.
- 10) **Adjournment:** Meeting adjourned at 8:50 p.m.

Minutes submitted by Gary L. Brougham, Town Administrator


Board approved/endorsed: Oct. 11, 2016

Board of Selectmen - Town of Belchertown

Endorsed by a majority:



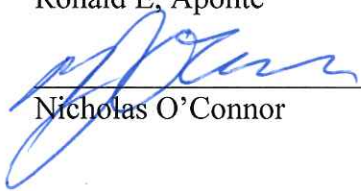
George D, Archible, Chairman



Brenda Q. Aldrich

Ronald E. Aponte

William R. Barnett



Nicholas O'Connor