

**TOWN OF BELCHERTOWN  
BOARD OF SELECTMEN'S MEETING MINUTES  
MONDAY, OCTOBER 26, 2015  
Selectmen's Meeting Room, Lawrence Memorial Hall**

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

1) **Call to Order:** Chairman Aponte called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

2) **Sign Documents:**

- a) Warrant #1617 was signed for \$952,502.73
- b) Routine documents
- c) Approval of Minutes: None.

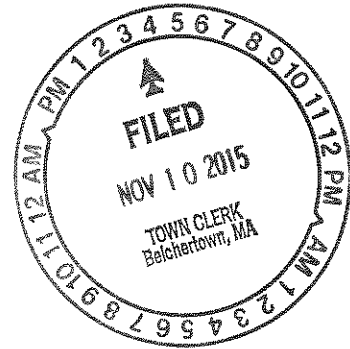
3) **Additions to the Agenda:** None.

4) **Appearances Before the Board:** None.

5) **Discussion/Action Items:**

- a. Appointment of At-Large Member to Community Preservation Committee: Mr. O'Connor presented the details. Per the recommendation of Jim Natle, Chair, Community Preservation Committee, Mr. O'Connor moved to appoint Peg Louraine to the Community Preservation Committee, term to expire June 30, 2016. Seconded by Mr. Barnett. Motion passes 5 – 0.
- b. Schedule Liquor License Transfer Hearing – Checker's Inc. to Shree Manki Inc. d/b/a/ Checker's General Store and Deli, 2 Stadler Street: Mr. Barnett presented the details. The Board has received an application to transfer the wine and malt liquor license for Checkers to the new owner, Shree Maki Inc. d/b/a Checker's General Store and Deli. He indicated that this procedure begins with a public hearing. He moved the Board set Monday, November 23, 2015 at 7:35 p.m. for the public hearing. Seconded by Mr. Archible. Motion passes 5 – 0.
- c. Endorse Eagle Scout Certificates: Ms. Aldrich presented the details. Mr. Lupa who is the scoutmaster of Boy Scout Troop 57 has asked that the Board acknowledge the two young men who have made Eagle Scout this year. She is pleased to announce that these two young men are Richard Del Valle and Wesley Lupa and congratulated them on their achievement. She noted that there are certificates that the Board will sign and they will be sent to the two Eagle Scouts. She also thanked the scoutmasters in Town for the good job that they do (both girls and boys).

Mr. Aponte stated that it is quite an accomplishment to receive the Eagle Scout award. They should be very proud of themselves.



- d. Endorse Contract and Scope of Services – FY2016 Local Cultural Council Funds: Mr. O'Connor presented the details. The Board has been presented with a Standard Contract Form from the Massachusetts Cultural Council. The Belchertown Cultural Award is in the amount of \$5,500 and may be used for any Cultural Council activities. Mr. O'Connor moved the Board authorize the Chairman to endorse the Standard Contract. Seconded by Ms. Aldrich. Motion passes 5 – 0.
- e. Review New Procedures/Guidelines for Intention to Lay out Public Ways: Mr. Archible presented the details. He spent time with the Director of Public Works to understand this better. Town Counsel has advised the Town to redefine the chronology and procedures necessary when releasing a subdivision/roadway. In the past the Town was accepting roads that were not up to standards. The Town would then have to go after the contractor to make things right. This will provide better guidelines for the Board of Selectmen and the Planning Board to work together to lay out public ways.

Gary Brougham, Town Administrator stated this gives more accountability to a policy that has worked for the Town. The Town has previously allowed developers to go on open ended and build their subdivisions in phases not moving through the completion of the infrastructure in a timely manner and the Town is often on the wrong end of the curve. This will give more accountability in the process and will hold the developers to a more established protocol that has been missing for years.

Mr. Archible indicated if the Town takes no action on these roads they get no Chapter 90 money.

Mr. Aponte wanted to make sure he understood the process of the five steps.

- Board of Selectmen Vote Intention to Lay Out as Public Way
- Send Referral Letter to Planning Board
- Send Letter to Owners at Least 7 Days Prior to Selectmen's Layout Meeting
- Selectmen Adopt Order of Layout and File Layout with Town Clerk
- Town Meeting Warrant Article and Vote

Mr. Aponte feels as Steve Williams has been working with Town Counsel this is the best business practice for layouts.

Mr. Brougham said there have been subdivisions that have been under construction since 1993 – 1995 and have yet to be accepted as public ways. Construction is slowly picking up in Town and hopefully this will eliminate open ended construction cycles of 15 or 20 years. What has been happening is the bituminous overlays start to fail before the roads are accepted. The Town is reluctant to accept these roads because they immediately need repairs and the developers are reluctant to go ahead and resurface them because they have paved them once and the development protocol was signed off. This will eliminate much of that.

Mr. Archible moved the Board accept the five step guidelines for Intentions to Layout Public Ways. Seconded by Ms. Aldrich. Motion passes 5 – 0.

- f. Intention to Lay Out Public Way – Crestview Estates: Mr. Archible presented the details to the Board. Mr. Archible moved that the Board of Selectmen vote its intention to layout Crestview Acres Inc./Crestview Drive as a public way and to forward this vote and the plan to the Planning Board for its comments and recommendations pursuant to G.L. c. 41, §§81G and 811. Seconded by Ms. Aldrich. Motion passes 5 – 0.
- g. Intention to Lay Out Public Way – Old Sawmill Road (Hunters Ridge Phases I & II): Mr. Archible presented the details to the Board. Mr. Archible moved the Board of Selectmen vote its intention to Layout Old Sawmill Road (Hunters Ridge Phases I & II) as a public way and to forward this vote and the plan to the Planning Board for its comments and recommendation pursuant to G.L. c. 42, §§81G and 811. Seconded by Mr. O'Connor. Motion passes 5 – 0.
- h. Discussion – Police Chief Candidate Search Committee: Mr. Aponte presented the details to the Board. The deadline to submit a letter of interest has passed. The Board received 21 letters of interest. The search committee will review all resumes and applications that are received for the police chief position, do the initial interviews and then submit their recommendations to the Board of Selectmen for final interviews.

Mr. Aponte indicated the Board needs to clarify how many members will make up the committee, to determine if there is a specific composition the Board wants to see on the committee, timing for the committee and a charge.

Mr. Aponte informed the Board that the search committee for the former chief had a charge that had them interview the top candidates and were instructed to provide the Board of Selectmen with a list of finalists (top 3 -5) without any ranking so that the Board could then begin their interview process.

Mr. Aponte asked the Board if any members had a preference with the size of the search committee. Following a discussion by the Board; Mr. O'Connor moved to create a nine member Search Committee with the purpose of evaluating candidates for the vacant Chief of Police position, they will provide their top three to five candidates without individual ranking to the Board of Selectmen for further review and evaluation. Seconded by Ms. Aldrich. Motion passes 5 – 0.

Mr. Aponte stated the Board needs to now discuss the composition of the committee. In the past the committee consisted of someone from the religious community, a business owner, someone involved in the schools, a couple at-large members and one or two members that had strong law enforcement backgrounds.

Mr. O'Connor moved that all nine participating committee members be residents of Belchertown. Seconded by Mr. Archible. Motion passes 5 – 0.

The Board further discussed the composition of the committee. Mr. O'Connor and Mr. Barnett feel that committee members should not be employee's who work directly under the Board of Selectmen or the Town Administrator. This would exclude police, department of public works, Town Hall employees, and fire/ems. They feel this would eliminate any potential conflict of interest or agendas that someone may have. Ms.

Aldrich was not in agreement. She feels they bring something to the table as they work closely with the police department. It was decided that Town employees would not be eliminated from the list but as each Selectmen chooses their top nine candidates they can exclude them from their list.

Mr. Aponte indicated it now comes to the other compartment of having a religious leader, a business owner, school person, and etcetera. Following a discussion the Board agreed that consideration should be given to a school individual, law/police background, clergy, and a business owner but that they would pick the nine best candidates. Each Board member will come to the next meeting with their top nine picks. They will also have two or three alternates to their top nine.

i. Miscellaneous Matters: None.

- 6) **Town Administrator's Report:** The Route 181 project is continuing. Last week the sewer rehabilitation on the east side of Rt. 181 came close to the intersection and created a lot of traffic congestion. This week they will work the water line bringing it up as far as the sewer line came up last week. Traffic will continue to experience delays particularly during peak traffic hours. The good news is that they are nearing the end of the pipe installation. Good progress is being made.

Last Wednesday, Claire O'Neill and Richard Henderson from Mass Development hosted a meeting to talk about the conceptual designs of the green space adjacent to the assisted living facility. Mass Development has brought a landscape architect on board to accomplish that task. Individuals attending walked through a conceptual design of the space, talking about lighting and different types of features (stone walls, benches). There will be a follow-up meeting once the landscape architect comes up with a design having taken everyone's thoughts into consideration. Even though the Grantham Group was not funded in this round of CDBG grants we are moving forward in the hopes that the next round they will be approved.

Steve Williams obtained the final preliminary road layout plans for the continuation of Front Street. Mr. Brougham indicated that he has not had a chance to look at the plans yet.

Mr. Aponte indicated he is happy the Town is moving forward with this project. He believes that in the second round the Grantham Group will be successful. He stated we knew going into this that it was a 50/50 chance the Grantham Group would be approved in the first round.

- 7) **Review of Weekly Mail:**

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

Mr. Barnett: He wondered about the sewer abatement and if there was any method in place to allow for the abatement. Mr. Brougham stated that the current user charge system is what was voted at Town Meeting. The Wastewater Treatment Plant runs on an enterprise fund which means it perpetuates its own cost through user fees. If the Town budgets a dollar amount for the Wastewater Treatment Plant and then abates 150 of those bills because those

residents don't live in their home all year long then there would be a revenue problem at the Treatment Plant.

Mr. Barnett then questioned if the Town had once based it on the amount of water a resident used. He was told that many years ago when the wastewater system was owned by the Commonwealth and the Town operated the collection system it was possible to calculate sewer bills by using water usage because everyone who had Town water had Town sewer. As the sewer system has been built out to the Tri-Lakes region and other areas of Town that don't have municipal water we can no longer rely on the water reading. The calculation for your sewer bill was 150% of your water bill. The Town has struggled with how to be equitable where there are people who are "snowbirds" and the other struggle is the people who fill swimming pools or have irrigation systems and we don't have green meters so whatever goes through the meter is assumed down the drain and that's not the case. The Town has gotten away from using the water meter readings and uses the equivalent dwelling unit method a DEP approved method of assessing sewer bills and the only thing the Town can do is adjust upward or downward depending on the revenue that is projected to be necessary to run the Wastewater Treatment Plant. Over a period of years there have been many upgrades. When it was time to renew the discharge permit for the Wastewater Treatment Plant the Town had to take it over from the Commonwealth. At that time everyone knew it was in non-compliance and it was at that time the recommendation was to upgrade to a new Wastewater Treatment Plant. We are currently paying the sewer user charge but also have the capital bond on the sewer user and on some areas such as the Tri-Lakes they have a second assessment in the form of a betterment so its pretty expensive. We are coming to the end of the bond obligation on the Wastewater Treatment Plant so barring any substantial EPA ordered improvements to continue to meet discharge compliance and if there is no capital project going forward there will probably be some relief on the sewer bill.

There are abatement provisions in the sewer user charge system. If you have a demolition permit or if you can demonstrate a period of no occupancy for greater then a year and you have to support that with an electric bill, a water bill or some other utility. Mr. Brougham told Mr. Barnett the only way they could effectively do that is to amend the current user charge system. Mr. Barnett indicated he was just wondering if there isn't a fairer way to do it.

While Board members agreed that this method is not necessarily fair it is equitable overall and it was approved by DEP as well as at Town Meeting. It is a reliable way to predict revenue for an enterprise account.

Ms. Aldrich: The School Committee meets tomorrow night at Swift River School. She encourages parents to attend these meetings.

Mr. O'Connor: Meeting with the Skate Park Committee. They are waiting on the delivery of the last set of ramps. They will be attending the November Recreation Committee Meeting to discuss ideas of better management of that facility.

He met with the Agricultural Commission. it was his first opportunity to meet with three of the five members.

He has been doing a lot of work with the Recreation Committee, Gary Brougham and Rob Opalenik.

The Recreation Committee will be preparing a survey for the community around community interest around specific projects with the specific intent of developing a plan around capital funds and consideration to bring a project forward.

He and Rob have also started discussing a succession plan as well as they don't want it to be July of next year with no Recreation Director.

He is also talking with the Council on Aging and Finance Committee members to see where they are in the next phase for Phase II Survey that they presented in April. He's meeting with Finance Committee members to see if there is any funding for this. They have also asked Mr. O'Connor to looking into real estate tax exemptions for the elderly. He did receive information from Jay Whelihan in the Assessor's Office. There are tax exemptions for seniors in Town.

Mr. Archible: Stated that it has been brought to his attention that the Recreation Committee lost the basketball court at Chestnut Hill. Mr. O'Connor indicated that they did. Mr. Archible stated the Playground Committee put up a gazebo. He continued that they dissolved the Committee. Mr. O'Connor confirmed this. Mr. Archible asked where the basketball court is. Mr. O'Connor deferred to Mr. Aponte as he did not have a history on it. Mr. Aponte presented the history stating that there were two schools of thoughts. One being that Jessica's Boundless Playground was going to raise money to move the basketball court to where the playground was originally suppose to be and the seconded thought was that it was never promised. Mr. O'Connor stated that is one of the questions on the survey.

Mr. Archible wanted all the Veteran in Town to know that on Tuesday, November 10<sup>th</sup> the Belchertown Senior Class will hold an event at 8:30 a.m. at the High School to thank the veterans for everything they've done. All veterans are invited to attend.

Mr. Brougham wanted to note that the movie Super Trooper II is now actively being filmed in parts of Belchertown and Quabbin Reservoir.

- 9) **Questions from the Press:** Walter Hamilton from *The Sentinel* wants the names of the individuals who submitted letters of interest for the Police Chief Candidate Search Committee. Mr. Aponte stated they would be provided after the November 9<sup>th</sup> meeting. Following an argument from Mr. Hamilton he was told the Board would discuss it with Town Counsel. Mr. Goldscheider from *The Gazette* added that he didn't understand why it would be released as it's a public process.

Mr. Goldscheider questioned when the Board found out about the Grantham Group not getting the grant and asked for the Board to explain to him what is happening. He was told

that back in the spring the Group applied to the State for the low income tax credits which was a fundamental part of their business model – the financial model. Mr. Aponte believes it was at least a few weeks ago that they found out they were not granted those income tax credits. There is another round that they will apply for this spring and will be given a decision sometime next summer.

Mr. Hamilton questioned #10 in the Selectmen's mail which is the one-room schoolhouse. He was told it's the old one-room schoolhouse on the Dudek property. The Stone House Museum and the Historical Association want to move it behind the Stone House Museum if the current owner of that parcel has no use for it.

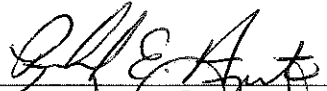
10) **Adjournment:** Meeting adjourned at 8:45 p.m.

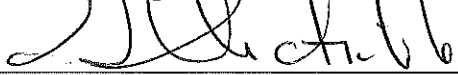
Minutes submitted by Gary L. Brougham, Town Administrator


Board approved/endorsed: NOV. 9, 2015


Board of Selectmen - Town of Belchertown

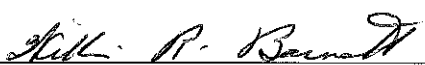
Endorsed by a majority:

  
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Ronald E. Aponte, Chairman

  
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George D. Archible

  
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Nicholas O'Connor

  
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Brenda Q. Aldrich

  
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William R. Barnett