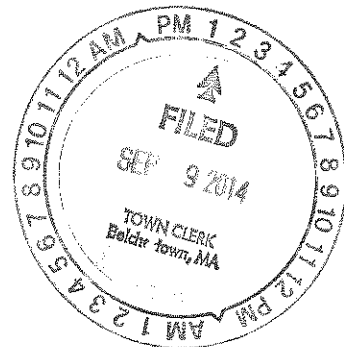


**TOWN OF BELCHERTOWN
BOARD OF SELECTMEN'S MEETING MINUTES
MONDAY, JULY 14, 2014
Selectmen's Meeting Room, Lawrence Memorial Hall**



Present: Brenda Q. Aldrich, Ronald E. Aponte, George D. Archible, Kenneth E. Elstein
Absent William R. Barnett

- 1) **Call to Order:** Chairman Barnett called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.
- 2) **Sign Documents:**
 - a) Warrant #1502 was signed for \$405,278.63.
 - b) Routine documents
 - c) Approval of Minutes: Mr. Elstein moved the Board accept the minutes of June 9, 2014. Seconded by Mr. Aponte. Motion passes 3 – 0 – 1 (Elstein). Mr. Elstein moved the Board accept the executive session minutes from April 22, 2013. Seconded by Mr. Aponte. Motion passes 4 – 0.
- 3) **Additions to the Agenda:** None.
- 4) **Appearances Before the Board:**
 - 7:35 p.m. Eric Weiss, Playground Update: Mr. Weiss was present for this appearance to discuss Jessica's Boundless Playground. He stated he was there to report on the progress of the playground and to seek the Board's permission to do something.

He stated they are moving along really well now. They have raised \$326,000 now including the contribution from the Community Preservation money. He stated they have a schedule, they have a plan along with a full fledged pledge that they received today for the playground. They know the total price is going to be in the \$450,000 - \$500,000 range. Their plan is to begin the purchasing process the beginning of August through the school committee. There is enough money in the accounts now to purchase all of the equipment but not to pay for a lot of the other stuff. The scheduled date for the community build is September 13th. They are before the Board tonight to let them know they are ready to move forward with the project.

Mr. Weiss stated that he's been driving by the playground site over the last couple of weeks and realized that it drops down and becomes muddy when it rains. It will also be a site that will require a great deal of excavation and fill to get the drainage right. If they were able to move the site over about 150 ft to where the outdoor basketball court is there would be no real excavation work needed. He did some checking and spoke with Bob LaChance from the School Department, Steve Williams, Director of Public Works and a little bit to Gary Brougham, Town Administrator and to Rob Opalenik, Recreation Director. He found that that site really doesn't belong to anyone. He informed the School Committee that they

could save almost \$50,000 by moving the playground site over to where the basketball court is and to commit some money on the side to put up another basketball court or half court is what Mr. Opalenik is requesting to the left of where the playground is because he has some long term plans for where the wooden playground is. The Playground Committee would like to move the site over 150 ft but don't know who the responsible committee would be so they are asking the Board of Selectmen for permission to do so. He said the School Committee is good with the move, they understand why they are asking for this move. Mr. Weiss stated that Steve Williams has become a key figure in all of this. He has been organizing the local contractors to help with the construction. Mr. Weiss stated there are contractors willing to donate their time to get the site ready for the build. The playground committee is asking for permission to move the site over 150 ft with the commitment in the long run that they will work with Rob Opalenik to replace the half court that's there for basketball. There is no plan in place for the basketball court. Rob Opalenik had indicated within six months but isn't worried about it during the playground build but would love something back in place for the spring because people go out there and use the court.

Mr. Archible asked Mr. Weiss if the Board tells him tonight that it's good, when will they start the build, tomorrow? Mr. Weiss stated the build date is scheduled for September 13th. He will have to coordinate with Steve Williams, Bob LaChance and Rob Opalenik to begin the prep work that needs to be done prior to the build. It's going to be a committee that will manage all the work.

Mr. Aponte commented that it is known that the savings will be \$50,000 and weighing that with the usage of that court is fairly slim he feels that moving the playground 150 ft is a better deal. He feels it's a good move for all involved.

Mr. Elstein moved the Board authorize the moving of the site. He then questioned the \$450,000 - \$500,000 and you have about three-quarters of it and you will begin work in September whether or not you have all the money? Mr. Weiss stated the biggest challenge was the excavating. They could get people to donate their time and equipment but material was the challenge. They have now kind of gotten around that. The other place that they are challenged on money is that they want to do the entire surface of the playground with the really hard rubber so that it is wheelchair accessible. All of the fundraising between now and the build is focused on paying for that. Vicki from Jessica's Boundless Playground did want to make it clear to the Selectmen that she did not think she had it in her to raise money for a new basketball court. She stated she would do everything she could for the playground but the basketball court was too much for her. She stated there is a beer and wine tasting on the 26th. Antonio's by the Slice is donating all the pizza and Janice McCarthy is donating all the wings. It is \$30 per person and includes the beer and wine tasting as well as all the food. Mr. Aponte seconded the motion. Ms. Aldrich indicated that a motion had been made and seconded for Jessica's Boundless Playground and the committee to move the playground up closer, dismantling the basketball court with the idea of rebuilding it by spring. Motion passes 4 - 0.

5) Discussion/Action Items:

- a. Adoption and Endorsement of Western Mass Mutual Aide Agreement: Mr. Aponte presented the details to the Board. He stated that this is not unlike other mutual aide agreements that the Board has seen. This has already been reviewed and approved by Chief Fox. Mr. Aponte moved the Board authorize the Chairman of the Board to endorse the Western Mass Law Enforcement Aide Agreement. Seconded by Mr. Elstein. Motion passes 4 – 0.

Mr. Elstein questioned that this agreement is a little bit different then those that the Board has previously seen. Chief Fox responded that yes, it is a little different. It's an aide agreement that has been popular in the eastern part of the State. He stated it's primarily for large type situations such as disasters, court houses and hospitals. They are trying to get all the mutual aide departments on board with this. Chief Fox stated there is a page that needs to be signed tonight and then there will be another page to sign once the master signatory page is available. This would be used during storms, large scale emergencies, and a request for resources in the event of a large accident of some type.

- b. Endorse Council on Aging Grant Formula: Mr. Elstein presented the details to the Board. Mr. Elstein moved the Board authorize the Chairman to endorse the Council on Aging Grant Formula. Seconded by Mr. Aponte. Motion passes 4 – 0.
- c. Endorse Community Preservation Act Grant Agreement and Preservation Agreement – Roman Catholic Bishop of Springfield/St. Francis of Assisi: Mr. Elstein moved the Board approve and endorse the Grant Agreement. Seconded by Mr. Aponte. Mr. Elstein indicated that he wanted to point out that this is the third church that has received this grant. He stated that Town Counsel has informed the Town that as long we treat churches as we would any other entity that's it legal. He feels it's very exciting because it's another property on the Common that we are preserving forever. Ms. Aldrich called for the vote. Motion passes 4 – 0.

Mr. Elstein moved the Board endorse the preservation agreement between the Town of Belchertown and the Roman Catholic Church and St. Francis of Assisi as presented. Seconded by Mr. Aponte. Motion passes 4 – 0.

- d. Endorse Agreement for Payments in Lieu of Taxes for Personal Property – Housatonic Solar 1, LLC: Mr. Elstein presented the details. He stated this is the final piece of the agreement. It is similar to the agreement that the Board endorsed for the Greene property. Mr. Elstein moved the Board endorse the agreement as presented. Seconded by Mr. Aponte. Motion passes 4 – 0.
- e. Endorse Invoice #20 for PVPC FY12 Belchertown Regional Community Assistance Program: Mr. Elstein moved the Board endorse Invoice #20 in the amount of \$9,180.00 for services rendered to administer FY12 Belchertown Regional Community Assistance Program. Seconded by Mr. Aponte. Ms. Aldrich stated that 18 household were involved and 12 are from Belchertown. Ms. Aldrich called for the vote. Motion passes 4 – 0.
- f. Award Hampshire Council of Governments Bid #1066, Full Depth Reclamation: Mr. Elstein abstained from this discussion and left the room. Per the recommendation of Steve Williams, Director of Public Works, Mr. Archible moved the Board award the Hampshire Council of Governments Full Depth Reclamation Bid # 1066 to All States Asphalt, Inc., 325 Amherst Road, P.O. Box 91, Sunderland, MA. Seconded by Mr. Aponte. The motion passes 3 – 0. Mr. Elstein returned to the meeting.

- g. Endorse Traffic Control Agreement – Main and Jabish Streets: Mr. Archible presented the details. Mr. Archible moved the Board execute the Traffic Control Agreement as required by the Federal Highway Administration for the proposed signal and intersection project located at Main and Jabish Streets. Seconded by Mr. Aponte. Motion passes 4 – 0.
- h. Chapter 90 Reimbursements: Mr. Archible moved the Board reimburse the Winter Rapid Recovery Road Program for a total of \$52,709.22 in Chapter 90 and a total for Winter Rapid Recovery Road Program of \$94,753.00 with a total of \$147,462.22. Seconded by Mr. Elstein. Motion passes 4 – 0.
- i. Chapter 90 Project Request: Mr. Archible moved the Board endorse the Chapter 90 Project Request in the amount of \$48,550 for work on Route 181. Seconded by Mr. Elstein. Motion passes 4 – 0.
- j. Executive Session – MGL Chapter 30A, Section 21, Subsections 2 and 3: Mr. Aponte moved that at the conclusion of the open portion of tonight Selectmen’s meeting that they move into executive session per MGL Chapter 30A, Section 21, Subsections 2 and 3, not to reconvene. Seconded by Mr. Elstein. Roll call vote: Aldrich – yes, Aponte – yes, Archible – yes, Elstein – yes.
- k. Miscellaneous Matters:

6) **Town Administrator’s Report:** Mr. Brougham reminded everyone that on Thursday, July 31st there will be a hearing with the Technology Advisory Committee and any Board of Selectmen members who are able to attend to talk about the recent announcement by Charter Communications and Comcast and the switch of some territories of their subscriber lists. He stated that Frank Lomanno is hopeful in getting both a representative from Charter and Comcast present in order to get everyone on the same page.

He indicated to the Board that the Town does not have a lot of “wobble room”. He stated there are some very valid concerns and was just asked the other day if you have the Charter Bundle will Comcast continue to provide the phone service.

Mr. Archible stated he has also had a lot of requests for information regarding the change.

Mr. Brougham stated that the notice of the hearing will be put on BCTV, it will go in the Sentinel and it will be in the Republican. If anyone has questions they should come on the 31st. He stated that with a representative from Charter and Comcast and the Town’s representative any questions should be able to be addressed.

Mr. Elstein interjected that he wanted to discuss the August Board of Selectmen’s meeting schedule. He stated there was a question of whether or not the Board would be meeting on the 11th and having a quorum. Mr. Brougham stated it is all contingent on the Chairman. Ms. Aldrich stated that week of the 11th the interviews begin for superintendent of schools and if they get a lot they will be interviewing on Monday, Tuesday and Wednesday. If there are not a lot of applicant’s they will eliminate the Monday meeting but she will not know that until the 5th of August.

Mr. Elstein also questioned Mr. Brougham if anything was happening with the Family Center. Mr. Brougham stated he is still trying to get a resolution; he has no answers as of this moment.

7) **Review of Weekly Mail:**

#1b) Mr. Aponte stated the Board had received a memorandum from Steve Williams, Director of Public Works regarding a sign request for Main and Maple Streets. Mr. Williams reviewed the request with massDOT and it was determined that no change was required and it is best to stay a right turn on red. The request for the sign for no turn on red has been denied.

Mr. Archible also stated that he and Mr. Williams met with massDOT regarding the no turn on red at the intersection of Rt 9 and Rt 202 and that sign will stay. It was not the Town's decision it was massDOT's decision.

Mr. Elstein questioned that because those are state highways the town plays no part in the decision. Mr. Archible confirmed that the Town has no say in the decision. Mr. Aponte stated that as a courtesy Mr. Williams reviewed the request for the sign at the Main and Maple Street intersection.

#13) Ms. Aldrich stated that Anna Fenton, Animal Control Officer, was called about a dog locked in a car at the Stop and Shop parking lot. The dogs were left in the car for 45-60 minutes with the temperature outside was 80+ degrees. The owner was cited. She stated this is a warning to residents that animals and children cannot be left alone in a hot car as residents take it very seriously. This was a case where a resident observed it and called Animal Control.

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

Mr. Elstein: Stated that he attended the Council on Aging meeting. They've done work there; believe it or not the building is actually getting on in years. In particular they done work on the flooring and there have been some repairs which is very important for the adult center that the footing of the floor be in good condition and that has been completed using last years budget.

He is attending the Zoning Board of Appeals Public Hearing on Wednesday. Over 60 people attended the previous meeting. This is about Surner's proposal to put propane tanks on the corner of Rt. 9 and North Street. Unfortunately the last meeting was cancelled 2 hours before the hearing and the public was not notified until they arrived for the meeting. The meeting is on Wednesday at 6:30. The public is welcome at the meeting and to speak at the public hearing.

Ms. Aldrich: The search for the superintendent continues with the goal of wrapping it up by the end of August. The goal is to have a superintendent in place to start January 2nd, 2015.

9) **Questions from the Press:** Jim Russell from the Republican questioned the Preservation Act Grant Agreement and Preservation Agreement - Roman Catholic Bishop of Springfield/St. Francis of Assisi and the Housatonic Solar 1, LLC. He was told that both of those were voted on and approved at the Annual Town Meeting. He also asked if there was any word regarding the Storm Alfred money. The Town is still waiting on this money. He was assured that the legislators hear about it regularly. He also questioned if there was any word on the remediation of the former State School property. Mr. Aponte stated that the Governor has actually signed and approved some

mediation money. He stated that it's upwards of \$4 million in total but it will be seen in phases with upwards of \$1 million this fiscal year. The remaining \$3 million will depend on the success of the project. Mr. Aponte stated the Governor will be looking for progress with this initial \$1 million. The money will go through Mass Development. Mass Development is currently looking at three RFP's. Mr. Aponte stated he did not know how the MEPA process works. Mr. Brougham stated that hearings have been held for Phase I waiver and that we are well on our way for being approved for money for Phase I waiver. He further stated that this \$1 million would be used for remediation and not development. Further discussion ensued regarding remediation and development.

10) Adjournment: Meeting adjourned at 8:23 p.m.

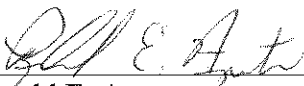
Minutes submitted by Gary L. Brougham, Town Administrator

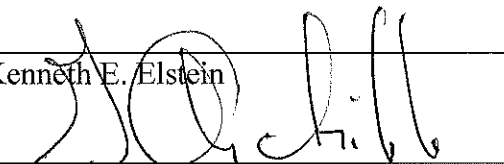
Board approved/endorsed: Sept. 8, 2014


Board of Selectmen - Town of Belchertown

Endorsed by a majority:


Brenda Q. Aldrich, Chairman


Ronald E. Aponte


Kenneth E. Elstein


George D. Archible

(absent)
William R. Barnett