SELECT BOARD MEETING MINUTES
7:00pm, March 6, 2024
Town Hall, 557 Main Street, Becket

Attendees

Select Board (SB): William Elovirta (BE), *Chair;* Chris Swindlehurst (CS), *Vice-Chair* and Jeff Piemont (JP), *Clerk*

Staff: Katherine A. Warden, *Town Administrator*; Beverly Gilbert (BG), *Administrative Assistant* Robert Gross, MLP Manager

Remote: Al Blake, Ann Jon, Robin Mathiesen, Patricia Mullins (Berkshire Regional Planning Commission -*Community Development & Housing Program Manager)*, Christie Lewis (Berkshire Regional Planning Commission - *Grant & Procurement Specialist)*

Parks & Recreation Committee: Rita Furlong, Madelaine Elovirta, David Weiler

Others: Sean and Deb Connors, Linda Shaw, Kathy Baugh, Tommie Hutto-Blake, Barb Rawson

1. **The Chairperson will call the Select Board meeting to order.**
   BE called the meeting to order at 7:01pm. He indicated the SB was recording the meeting.

2. **Pledge of Allegiance**
   BE led the Pledge of Allegiance.

3. **7:00 p.m. Public Hearing to discuss the submittal of a FY 2024 Becket-Dalton CDBG Housing Rehabilitation grant application and to receive public comment on the submittal. The single activity proposed in this application is a Housing Rehabilitation Program on behalf of the residents of the towns of Becket and Dalton, for approximately $1,000,000 in funding to rehabilitate up to 16 homes.**
   At 7:01pm, the Chair read the public hearing notice for the above captioned. The SB did not receive comments or requests for ADA accommodations. Pat Mullins (Berkshire Regional Planning Commission -*Community Development & Housing Program Manager)* introduced herself and her colleague Christie Lewis (Berkshire Regional Planning Commission - *Grant & Procurement Specialist)* who were in attendance to discuss the FY 2024 Becket-Dalton CDBG Housing Rehabilitation grant application. Pat Mullins presented the following information:

   > The primary objective of this public hearing is to provide the public with as much opportunity as possible to participate. The public is welcome to comment and ask questions. The notice of public hearing was posted on the Town of Dalton website, The Berkshire Eagle, Becket Town Hall, and Town of Becket website. Additionally, there was a legal notice in the Berkshire Eagle. This FY 2024 CDBG Grant application is due to be submitted by March 25th. Comments are accepted until the next few weeks. Pat Mullins and Christie Lewis are preparing the budget. They anticipate this grant will allow approximately 12 to 16 units to be rehabilitated. Becket will be the lead community in this grant. Becket previously partnered with Dalton for the CDBG

FY2020 Grant (Dalton was lead community) and the funds of that grant have been completely spent. Becket also successfully completed other CDBG housing rehabilitation/other activities grants. Previous CDBG grants in Becket (including in combination FY 20II, FY 20I7 and FY 2020) resulted 25 projects being completed. 10 projects were completed in Dalton under the FY 2020 CDBG grant. (35 Projects in total).

This FY 2024 grant is only for housing rehabilitation: items such as roofs, windows, doors, plumbing, and electrical systems. The program serves low to modern income households and provides zero percent interest, deferred payment, forgivable loans up to $60,000 per home or $70,000 per home in situations where the homes have lead paint, failed septic systems and wells, or other severe environmental hazards that must be abated. The average project will be $50,000. Individuals interested in this program can obtain additional information and may be included on a waiting list by contacting Christie Lewis at 413-442-1521, extension 23, or by emailing her at clewis@berkshireplanning.org.

Currently there are 47 households on the waiting list for Becket and 69 households on the waiting list for Dalton. It may turn out that many are not income eligible. As soon as we determine if we have been awarded the grant, Pat Mullins or Christie Lewis will notify those on the waiting and send an application packet.

CDBG is part of a HUD program all over the U.S. and HUD is extremely interested in public participation. Public participation is encouraged throughout the implementation of any CDBG grant. Once the grant has been awarded, BRPC will suggest for the Town of Becket to establish a volunteer advisory committee (may include Dalton members) to work with both Becket and Dalton on raising awareness of the availability and benefits of the housing rehabilitation program within their respective communities. As mentioned in the Public Hearing notice, Pat reiterated that those wishing to comment on the grant may do so during tonight's meeting or through written comments addressed to Kathe Warden, Town Hall, 557 Main Street, Becket, MA 01223

The Chair invited the public to comment or ask questions. Al Blake asked how those on the waiting list are determined to be eligible, and how does BRPC allocate between Becket and Dalton (1/2 and 1/2 or via first come, first serve)? Pat Mullins indicated that BRPC maintains the waiting list and the number assigned to an individual on the waiting list is based on how the person chronologically called in or wrote to BRPC. Some are already on the list because they were on lists from previous grants but were not selected. Pat Mullins indicated that oftentimes, it takes multiple CDBG application submittals before a person may move up on the waiting list. She indicated that many on the waiting list drop out during the process or do not qualify. However, once BRPC sends the applications to the applicants, although they may have been assigned a specific priority number, it also depends on how quickly applicants submit their *completed* applications, including required pertinent documentation (for instance, 8 weeks of wage statements, social security statements, bank/financial statements). Pat Mullins explained that

reviewing sources of income can be a complicated process. BRPC oftentimes meets with and helps those who have difficulty assembling their application. She indicated people should not be dissuaded by the waiting list numbers and she encourages all interested to join the waiting list. BRPC will continue to maintain the waiting list, and this creates a big impression on the people who review the grant applications in Boston and who see how much demand and interest there exists for the CDBG program.

Al Blake inquired about the allocation between Becket and Dalton. Pat Mullins replied that the towns have successfully partnered in the past. Last time Dalton was the lead partner. This time Becket is the lead partner, and in recognition that the lead community takes on all of the fiscal responsibility for managing the grant [for instance, all of the money that that is drawn down as we work through the projects flows through the lead town. The lead town's accountant and the town's treasurer must track the grant payments, and the Town Administrator must sign off on all of those claims], Becket will receive more projects. BRPC cannot say how much money each town will receive at this time due to many unknown factors (cost and scope of each project).

Linda Shaw asked if the Select Board was in favor of the CDBG Grant. The Select Board indicated they support this endeavor.

Jeff asked who determines income eligibility. Pat Mullins indicated this is the work of the CDBG Housing Rehab. Program Manager which in this case is the staff assigned to this program at BRPC. JP asked if the financial information is confidential. Pat Mullins indicated that everything submitted is confidential, and only those in the agency directly involved with Housing Rehab are able to view the electronic network containing the applications. Pat Mullins stated The Executive Office of Housing and Livable Communities (EOHLC), the funding agency in in Boston, always conducts very thorough monitoring, and so while BRPC determines income eligibility, the public can be assured that someone is looking over BRPC's shoulder as well.

JP asked if KW is able to take-on the duties affiliated with this project. She indicated yes.

Pat Mullins requested a copy of the minutes of the public hearing and attendance sign-in sheet which will be submitted as part of the application.

The public hearing ended at 7:20pm.

4. **Select Board review/vote to approve the FY 2024 CDBG Application - Interlocal Agreement**
   CS moved to approve the agreement for multi-town participation in the FY 2024 Community Development Block Grant between the Town of Becket, MA and Dalton, MA. JP 2nd: Motion carried unanimously.

5. **Select Board discussion/possible vote re: assessing/structuring registration fees for the Children's 2024 Summer Camp**
   BE thanked the Parks & Recreation Committee for the time they put in while volunteering for the Town of Becket (flower beds on the islands in the town, and cutting brush in the town parks, etc.). BE indicated that Becket is no different than any other town in that costs keep increasing, and we

are trying to find sources of income to offset expenses. During discussion BE and Rita Furlong estimated the cost is approximately $8,000 to operate the Town's Children's 6-week Summer Camp. BE stated that at the previous SB's meeting, BE suggested charging $5 per day per camper or $60 total for the summer. BE indicated that the Parks & Recreation Committee met and the consensus was they would go along with a structured fee ($25 application fee per family). Madelaine Elovirta clarified that the application fee was a starting number to present to the SB for the SB's decision. When a family enrolls their child/children in the summer program they would attach $25 to the application for the season. The memo indicated that some members thought the fee needed to be higher, some thought for the start, it might be too high. Rita Furlong stated that there was a member who did not agree with charging any fees.

JP brought up the concern of taxpayers giving money to a select few people, without asking whether the families value the service and are willing to or able to pay for this resource.

CS stated that he originally favored (everything should have a value) setting up a fee structure for the Summer Camp. However, because the fees (as discussed) will not generate a substantial amount of money to offset the cost to the town, then he thinks the record keeping and the chasing and the asking is probably more trouble than it is worth.

Barb Rawson stated that she regards the Summer Camp as an enrichment program that provides a safe place for children to unplug from their digital devices and socialize through wholesome activities with other children in this community where homes are not close together. She commented on the phrase, "for a select few." She stated that all through the elementary school (Kindergarten through 5th grade) her son's entire grade had between 15 and 20 children. She pointed out that this free program has been in existence for thirty years. She said that offering something free to the citizens is something that distinguishes the community in a positive way. Barb Rawson stated she views this as an investment in the children. Sean Connors stated that there are many services that taxpayers pay for but do not end up using.

Al Blake suggested charging a sliding scale in a similar manner as to how the Farmer's Market operates.

Discussion ensued re: enrollment numbers. Rita Furlong indicated that enrollment is capped at 25 due to staff/camper ratios. KW stated that children who reside in Becket/Washington year-round (as opposed to summer only) should receive priority.

A discussion transpired about accepting donations/fees. David Weiler indicated the Parks & Recreation Committee does not want to task Counselors with handling money. Linda Shaw stated she does not like the idea of "suggested" donation since it may place pressure on families.

<u>JP moved that the Summer Camp, at the check-in table, will have available pre-printed envelopes for Voluntary Contributions with the Town's mailing address (payable to the Town of Becket) to help pay for the Town of Becket Summer Programs, and the town will send a Tax Insert to seek donations for the Summer Camp program. CS 2nd. Motion carried unanimously.</u>

KW will suggested to The Becket Beat that they interview Rita Furlong about the Day Camp, and The Becket Scholarship Foundation (as of this year, in addition to college tuition, the BSF provides scholarships for post high school vocational programs).

6. **Select Board to review/vote to approve Neon Newt LLC's (30 Washington Street), application to amend its Annual Section 12 Restaurant, Wines & Malt Beverages with Cordials/Liquors License - Change of Hours:**
   - From: 5pm till 8:30pm on Monday. 8am till 7pm on Thursday, Friday, Saturday. 10am till 7pm on Sunday
   - To: 4pm till 10pm on Monday. 8am till 8pm on Thursday, Friday, Saturday. 10am till 8pm on Sunday.

   JP moved to approve Neon Newt LLC's (30 Washington Street) application to amend its Annual Section 12 Restaurant, Wines & Malt Beverages with Cordials/Liquors License Change of Hours as listed above. CS 2nd: Motion carried. The SB will forward the application to the Alcoholic Beverages Control Commission with a recommendation for approval.

7. **Public Input (limited to 3 minutes per person, 20 minutes total for this agenda item).**
   Tommie Hutto Blake and Kathy Baugh submitted letters to the SB requesting town installation of "No Motorized Vehicles" signs for Esau Heel's trail. They reported the trail sustained damage from a snow mobile. They wish to preserve this hiking trail not designed for motorized vehicles. The members of the SB expressed they favor this idea. The SB's 3/20/2024 agenda will list a vote for Placement of "No Motorized Vehicle" signs on Esau Heel's Trail. Tommie Hutto-Blake will provide suggested locations for the sign. The SB will review the CPC application (voted on at the 2021 Annual Town Meeting) to establish Esau's Trail: The SB are interested in reviewing the CPC application question regarding maintenance. During the discussion, the SB and KW mentioned it is their understanding maintenance of the trail would be through volunteers, not town employees. KW indicated that the Highway Department does not have the staffing to assume addition duties such as trail maintenance.

8. **Select Board vote re: Broadband Closeout agreement between the Becket Woods Community Association, Inc. and Town of Becket**
   Bob Gross indicated that the Becket Woods Community Association, Inc. (BWCA) requested for the Town to sign an agreement indicating that BWCA is turning over its Broadband infrastructure to the Town. Bob stated that because it has been completed to the satisfaction of Whip City Fiber, it is appropriate for the town to sign the agreement as it is a town resource (a section of the town-internet system) ~~of~~ which the town maintains (BWCA was responsible for its section of the build). Bob indicated that the town has insurance. JP moved that the Select Board sign the agreement between the Becket Woods Community Association, Inc. to transfer the infrastructure to the town. CS 2nd: Motion carried unanimously.

   Bob had a few other updates:

   WiredWest is in the process of preparing a 10-year agreement between the individual towns and WiredWest. WiredWest agreed to the changes that Becket requested. The primary ask was to ensure that if a town decided not to renew the agreement at some point down the road, that town would be entitled to its excess revenue balance (it could not be withheld from them). The Town of

Heath has asked KP Law to review the agreement, and Heath has asked the other five towns to contribute equally to pay for KP Law's review. Bob will bring this up to the Broadband Ad Hoc Group, and he thinks Becket should be willing to participate in the cost. Towns will need to sign a waiver of conflict in order for KP Law to review the agreement. Only those towns that agree to that would share in the cost.

The auditor indicated there are accounting issues that need to be resolved: 1) Who owns the network: Town of Becket or MLP? This will be brought up at the WiredWest meeting in two weeks because there are other towns that are MLPs and Bob will seek info as to how they handle it. This matter is a work in process. Once ownership structure is determined, we can decide how the reserves get handled. This is a question of whether the MLP books will be fully incorporated as part of the town's books or whether the MLP books will in effect be a stand-alone entity. When the town finances are being discussed and evaluated, it will be clearly stated that it is part of the town. This is a question the accountants and the attorneys must answer based on the information Bob provides while factoring in MGL and accounting practices; 2) MLP finances: we are setting up a system where all of the expenses for the MLP will be paid by WiredWest on our behalf: WiredWest will send the MLP 13 (thirteen) checks a year, of which twelve will be monthly checks for the MLP fees, and one check WiredWest will send late August or September for the excess revenue. The only expenses, unless there is a capital expense, will be the debt repayment to the town. WiredWest will pay the expenses before Becket receives its share. JP and Bob have discussed how to handle the debt repayment of the town, not the amount, but just some logistics questions. Dan Parnell, JP and Bob will discuss this further with the auditor. There are timing questions relating to free cash vs. stabilization. KW pointed out if you give us money now and the debts are not due until August, then that money must go into free cash and the town can access it after free cash is certificated. In August, the town would make the payment out of the town's general funds (not from MLP funds). We would need Town Meeting approval to replenish the general fund after free cash is certified. KW indicated it would be easier to receive the payment after July 1st because you would be in the **same** fiscal year.

Bob Gross has been in communication with Eversource re: the pole transfers needed on Route 20 and Route 8. He conveyed to Eversource that Eversource is responsible for paying the cost of the pole transfers. Before Bob authorizes Whip City Fiber to do the pole transfers, the MLP wants in writing from Eversource that they agree that they will pay for this and they will agree to have us use Whip City Fiber or Whip City Fiber's subcontractor, and the written statement will include that the Whip City Fiber's estimate that they provide is acceptable to the (Eversource). Bob estimates this will likely not occur until April. Bob mentioned that the person in charge of the work that Eversource proposed for Bonnie Rigg, asked Bob if they were to install an empty conduit that the broadband could use in the future, would that entice the Select Board to let them patch the road. Bob made it very clear that he cannot speak for the Select Board but he speculates that it is very unlikely the Select Board would agree to something like that. At that point, the Eversource individual indicated that their fallback is to replace the current poles in the right of way with bigger poles and run the wires there. Bob favors this approach which would add more protection for our fiber. The MLP has been in contact with KP Law (David Doneski) who agreed that Eversource, in accordance with the Pole Attachment Agreement, is responsible for paying to transfer the fiber.

ACP funding is an Affordable Continuity Program that subsidizes subscribers $30 dollars a month for their broadband account if they meet certain low-income criteria. The federal funding of ACP is expected to end in April 2024. At least some WiredWest and Whip City Fiber towns agree towns should take on subsidizing those eligible for this program. Currently 42 Becket residents have ACP ($1,260 per month). WCF will provide information, including the cost, for a 3rd party to annually vet applications (the MLP does not want to get involved with personal information). The Broadband Ad Hoc Group supports continuation of this program as long as vetting is not too expensive.

There is CAF II funding for Broadband only that will start (Federal Funding through the FCC). Becket will be entitled to approximately $250,000 over ten years (an initial payment approximately $75,000 for the first three years, and $25,000 each year thereafter for the remaining 7 years). Hopefully it will begin this fiscal year. Although it must be dedicated to Broadband, it can be used for Broadband related debt service. KW inquired about reporting requirements for this federal grant program. Bob indicated that this will be an MLP responsibility, and he will look into the reporting details. Bob asked if payments should be through EFT or checks. He will confirm with the Town Treasurer his idea to have WCF direct EFT CAF II payments into the MLP account. He will also confirm that WiredWest can and should EFT all payments into the MLP account.

9. Select Board to review Departmental Reports

The Board of Health provided a report of activity from July 2023 through December 2023. Henceforth, the Board of Health will provide quarterly reports.

10. Approval of the February 21, 2024 Meeting Minutes

JP moved to approve the 2/21/2024 minutes, CS 2nd: Motion carried unanimously.

11. Town Administrator's Report

KW provided the following update:

- KW provided the Highway Superintendent's road maintenance list, and the Highway Superintendent had inquired whether the SB would like to schedule a working meeting to discuss this and provide specific direction. KW advised if the Town does not receive Leonhardt, Yokum Pond, County Road grants (she is applying for them), the listing timelines will need to shift and the SB will need to make decisions. JP recommended considering bonds. He stated the town should pay for things as they use them so that the cost is borne by those using it. JP said it is practical for a town to not have to absorb the cost in one year for something that will last for many years. KW indicated this concept is something discussed in the Berkshire County Managers meetings, and requires additional Select Board meetings to discuss and create plans. The SB agreed this matter is something that may be explored during a working meeting.
- Tax Title account will possibly have a shortfall of $11,500.
- KW is suggesting placing on the FY25 budget – Creation of a Highway Admin Assistant/Code Enforcement position. 40 hours $50,000 (2 days a week – Building Dept., 3 days week Highway Department). KW thinks it a full-time position would generate more applicants. CS stated that he thinks we should step back and look at the Building Inspector position. Moreover, he would not be in favor of giving the Building Inspector an assistant. KW stated that either way, the

Highway Superintendent needs an Administrative Assistant (to assist with MassDOT Chapter 90 projects, & Transfer Station paperwork).

- The Select Board agreed with KW's suggestion to change the starting time of the Annual Town Meeting to 1:00pm. They will list voting to approve this time change on the March 20th agenda.
- KWS recommends for the SB to Create a Buildings Committee to start moving forward over the next five years to build a new Emergency Medical Services /Fire Dept. building. Composition of the Committee: Seven individuals including Representatives of the Fire & Ambulance Departments, Finance Committee member, Public Participation. The SB will place this on the July 3rd agenda. KW will research with other towns who have created building committees.
- DCR Grant for Forestry services to replace dying trees at Town Park with new mature trees, $20,000 to $100,000 will be working with Highway, Con Comm and possibly Park & Rec on project. Mature trees must be used.
- Received the report (King Information) on Records Destruction and Management $19,431.00. KW recommends moving forward with this, and she will seek a grant to help pay for this important service.
- Damage to the Animal Control Officer Car during the windstorm, working with MIIA for repairs
- MassDOT Chapter 90 Allocation for FY2025 is $233,919.88 down $307.00 from FY2024 possibly due to the census.
- Police Officer Dominic Crupi has resigned to accept a Sergeant position with the Town of Hinsdale.
- KW suggests for the SB to attend Senator Paul Mark's presentation in Lenox (Beacon Hill in the Berkshire Hills) in Lenox on April 6th.
- KW provided a list of project she is working on:
    1. Police Agreement
    2. Auction Surplus Property
    3. Becket Washington Ambulance Agreement – KW will present it to the SB after the Town of Washington returns the agreement to her.
    4. Becket Otis Ambulance Shared
    5. County Rd & Yokum Pond Rd full depth
    6. Benton Hill Culvert Replacement
    7. Leonhardt Rd upgrade to pavement backside
    8. Records Destruction and Management project
    9. Beach Property Issues
    10. Firefighter Radio Grant – pulled out – insufficient lead time to access extensive information for the application
    11. FY2023 Audit and Capital Asset
    12. DCR Forestry Grant
    13. Employee Handbook Revision

12. Select Board's Comments and Announcements

None

13. Any other business to come before the Board

BG conveyed Marcia Parnell requests an interview with the SB for The Becket Beat. The SB suggested discussing the Annual Town Meeting as a topic. BG will contact Ms. Parnell to schedule a working meeting.

The SB will meet begin their March 20th meeting at 5pm for various agenda items (Energy Committee Update, etc.). They have a joint Finance Committee/SB meeting at 6pm on March 20th.

14. Correspondence/announcements:

- 2024.02.28 MA Dept. Fish and Game - Interest in purchase of fee interest in land (approx. 140 acres of wildlife habitat)

The SB reviewed the above communication. The land is not in Chapter 61. The SB do not need to take action.

15. Select Board to review and sign payable warrants

The SB reviewed and signed payable warrants.

16. Select Board to adjourn the Meeting

JP moved to adjourn. CS 2nd: Motion carried unanimously, and the SB disbanded at 9:22pm.

Respectfully submitted,
Beverly Gilbert, *Administrative Assistant*

Signed by:

William H. Elovirta / *March 27, 2024*
William H. Elovirta, *Chairperson* Date Approved

Meeting documents:

- Agenda
- 2024.02.21 meeting minutes
- Town Administrator's Report; Town of Becket Paved Road Repair list dated 2024.03.06
- Notice of Public Hearing re: FY 2024 Becket-Dalton CDBG Housing Rehabilitation grant application
- Inter-local Agreement - FY 2024 CDBG Application; Public Hearing Application Information Sheet
- Letters dated 2024.03.01 from Tommie Hutto Blake, and Kathy Baugh re: Esau's Heel Trail
- Neon Newt LLC's (30 Washington Street), application to amend its Annual Section 12 Restaurant, Wines & Malt Beverages with Cordials/Liquors License - Change of Hours
- Broadband Closeout agreement between the Becket Woods Community Association, Inc. and Town of Becket
- Correspondence – See Agenda Item 14
- Board of Health report - activity from July 2023 through December 2023
- Parks & Recreation Committee memo dated 2024.03.06 re: discussion and vote taken at this morning's meeting