

BOARD OF SELECTMEN
MINUTES OF MEETING – JUNE 13, 2006

Present: Frank A. Consolati, Gordon D. Bailey, Board of Selectmen, Ch. Patricia D. Carlino, absent
Robert L. Nason, Town Administrator
Selectman Consolati called the meeting to order at 6:30 PM.

The Board voted, unanimously, to go into executive session to discuss collective bargaining litigation strategy and return to public session at 7:00 PM. Roll call: Bailey, yes; Consolati, yes.

The Board returned to public session at 7:00 PM.

1. Approval of Minutes: May 23, 2006; Executive Session May 23, 2006; May 30, 2006

2. Public Hearings: None

3. General Business:

Selectman Consolati received a copy of a letter from Atty. Michael Hinkley, representing L. B. Corp., Jerome Scully, Town Counsel, regarding a bid protest initiated by L.B. Corp. over the Reservoir Road drainage project. The letter proposed a statement of six points that included a public apology for the town's defective procurement process, hold no bias against L.B. Corp. when considering them for future projects and a \$2,500 settlement to cover the cost of L.B. Corp.'s legal expenses. Selectman Consolati read the letter in its entirety.

At the request of Martin Deely and Anthony Caropreso of the Planning Board who had concerns with the qualifications of the Hill Engineers Architects Planners staff who will be reviewing for the town the F.L. Roberts Travel Plaza project. The Selectmen invited them to come to the Selectmen's meeting to answer any questions the Planning Board members may have. Dan Lovette and Paul Marshall were present from Hill. Ch. David Durante and V.P. Robert Birch came representing the Planning Board. Mr. Lovette will be the project engineer and Mr. Marshall will be the project architect. Mr. Lovette gave a brief overview of their qualifications and the Planning Board members present were satisfied with them. There being no further discussion, the Board voted, unanimously, to sign a contract with Hill Engineers Architects Planners.

Rich Vinette, Executive Director, Lee Community Development Corp., came before the Board to further discuss an Economic Office of Environmental Affairs smart growth technical assistance grant he is writing with the Berkshire Regional Planning Commission. It is for the revitalization of the downtown. The funds will be used to hire a consultant. The next meeting of the Downtown Revitalization Task Force will be June 22nd at 6:30 PM at the CDC office. The Board voted, unanimously, to write a letter in support of the grant.

Jamie Cahillane, Center for Ecological Technology, came before the Board to give a brief summary of the recycling successes in the town. He stated that without the hard work of the Recycling Committee members none of this would have happened. The town received \$2,950 in revenue for 103.5 tons of materials recycled. Also, 45 Lee residents attended Household Hazardous Waste collections. The town received grants to purchase water conservation kits and rain barrels. A mini grant of \$1,500 from the Springfield MRF was used to purchase three public recycling containers. CET also helped kick off paper recycling in the Lee schools. Mr. Cahillane asked the Board to once again consider approving a consulting agreement with CET to further promote recycling in the town. The Board voted, unanimously, to approve the FY07 consulting agreement with CET in the amount of \$1,800.00.

Next Mr. Cahillane addressed a one year extension for an agreement between the town and CET to participate in the South Berkshire Household Hazardous Waste Collaborative. The Town of Lee will host one of these collections in FY07. The Board voted, unanimously, to sign the agreement.

The Board next reviewed with Mr. Cahillane an agreement with Clean Harbors Environmental Services, Inc. to remove the household hazardous waste collected in Lee. Town Counsel reviewed the document and made minor changes that drew no objections. The contract amount is \$9,124.00. The Board voted, unanimously, to sign the agreement.

Christopher McDeromtt, a member of the Recycling Committee, came before the Board to thank them for their support. He said the committee is continuing to look for additional grants. They participated in the Great Barrington Earth Day and rain barrels will be on sale on June 17th at the Tri-Town Health Dept. office. They will continue to work with local organizations

to schedule events for recycling. They are also working on recycling at Sandy Beach. The Board thanked the committee for its diligence.

Mr. Nason asked the Board to approve the fee portion of the Conservation Commission's budget for FY07. The fee portion of this budget is \$4,840.00. The Board voted, unanimously, to approve the fee portion of the Conservation Commission's FY07 budget.

The Board received a letter from Police Chief Ronald Glidden with regard to the truck ban on Fuller Street. Trucks making deliveries to the Schweizer-Mauduit on Greylock Street are being led to Fuller by their GPS systems. They do not see the "No Thru Trucks" signs until they get around the corner. The chief has been working with Schweizer-Mauduit and Werner Enterprises, the trucking company. Schweizer is dealing with the computer mapping information and Werner Enterprises has sent memos to their drivers and are taking action against drivers who violate the truck restrictions. The Police Department is now notifying the mill and the truck's owners directly every time a truck is observed on Fuller Street in route to the mill. The DPW has moved the signs at the bottom of Fuller Street to make them more visible. The chief stated that with cooperation from all parties this should help reduce the occurrence of trucks on Fuller Street.

The Board received a letter from Ross Dindio, District Highway Director, MassHighway, regarding the traffic congestion on Laurel Street (Route 20) due to construction at the Routes 7 and 20 intersection. Mr. Dindio stated that Lenox police officers will be at the intersections of Routes 7 and 20, at the construction zone and at Plunkett Street during Tanglewood concerts. Mr. Nason told the Board that Tanglewood would be using a new method of parking cars in order to speed up the process. After the first concert, these methods would be analyzed. James Nolan, a district representative and resident of Laurel Street, told the Board he felt this would not eliminate the congestion in front of his home and felt alternate routes should be looked at.

The Board voted, unanimously, to sign a contract with Bloom's Business Systems in the amount of \$9,642.00 to purchase a new Ricoh Aficio 2051SP for the second floor in Town Hall.

The Board next discussed the disposition of a DPW dump truck. The dealer selling the town a new truck offered a trade-in of \$3,500.00. Thinking they might get a better deal by going out to bid, the Board of Public Works did just that and received two bids from local residents, both under \$3,500.00. Mr. Nason explained there are several ways to handle this, one of which is to reject both bids and negotiate to give the local bidders a chance to rebid. Selectman Bailey was definitely against it and felt the truck should go to the highest local bidder. The Board voted, unanimously, to table this item until the Chairman could be present for discussion.

At the recommendation of Dennis Kelly, Asst. DPW Supt., the Board voted, unanimously, to purchase a 2007 Ford Ranger from M-H-Q Municipal Vehicles in the amount of \$21,971.00.

At the recommendation of Chris Pompei, DPW Supt., the Board voted, unanimously, to award contracts for water treatment plant chemicals to: Chlorine gas, sodium hydroxide and sodium be-carbonate to Slack Chemical Company; polyaluminum hydroxychlorosulfate to Holland Chemical; and zinc orthophosphate to Calciquest.

The Board announced they are still looking for a resident to serve as a member on the MPO Transportation Advisory Committee.

The town has been holding a performance bond in the amount of \$30,000 for landscaping to be done in conjunction with the Oak N' Spruce Phase 2 Special Permit. This money has been held since 1998. After satisfying himself that the project had been completed but had now been altered by further construction, Selectman Bailey said he had no problem releasing the funds. The Board voted, unanimously, to release the performance bond.

The Board voted, unanimously, to approve a Temporary Sign Permit for the Lee Youth Association to promote their community barbeque on June 30th.

The Board voted, unanimously, to approve four Temporary Sign Permits at Prime Outlets for Berkshire Works, Zales, Socks Galore and Leggs Hanes Bali Playtex.

4. Pending Business:

Selectman Consolati announced that the Town of Lee will be hosting the Cal Ripkin 9 year olds baseball tournament on July 14th and July 15th. He said 17 teams are expected to participate.

5. Town Administrator:

Mr. Nason stated that we are still waiting to hear from the Dept. of Environmental Protection on the awarding of the wastewater treatment plant contract to Nickerson and Company. The DEP should make their approval by June 22nd. At the next Selectmen’s meeting on June 27th, the award will be made and the contract signed. Discussion on builder’s risk insurance. Controlled by the town. The town was given three options as to policy rate and deductible and Toole Insurance agency recommended Option #2. The Board voted, unanimously, to approve that recommendation.

At the recommendation of the police chief, Mr. Nason would appoint Jason Hopkins and Benjamin Towne as seasonal police officers. Both men held that position last summer. The Board voted, unanimously, to approve the appointments.

At the recommendation of the Sandy Beach Committee, Mr. Nason would appoint Steve Laurin as Senior Guard working as a substitute with no assigned hours. The Board voted, unanimously, to approve the appointment.

Mr. Nason said that the state senate approved a budget for the Town of Lee which was about the same as what the governor had proposed. Mr. Nason felt that a thank you call to our state representative and senator from the citizens of Lee would be a nice gesture.

6. Public Comments:

DeeDee Consolati came before the Board to say that the work crew would be at the beach on Wednesday, June 14th.

Jim Nolan came before the Board to complain about DPW trucks parking in front of Town Hall and in front of the Morgan House preventing residents from using those spaces for Town Hall business.

Mr. Nolan also said that there is a problem with septic systems on Stockbridge Road. There are many more homes in that area and a sewer line really needs to be extended. The Turnpike Authority should look into this because its their bridge that is preventing the line from being extended. Selectman Consolati read a letter from the Board of Public Works not recommending this project.

7. Motion to adjourn:

The Board voted, unanimously, to adjourn at 8:40 PM. Their next regular meeting will be Tuesday, June 27, 2006 at 7 PM.

Respectfully submitted,

Suzanne M. Alderman, Selectmen’s Secretary

cc:	Board of Selectmen	Principal Assessor	Dept. of Public Works
	Town Administrator	Board of Health	Town Treasurer
	Town Clerk	Conservation Commission	Town Reps. District Chairmen
	Town Collector	Police Chief	Superintendent of Schools
	Planning Board	Building Inspector	Town Accountant