

BOARD OF SELECTMEN  
MINUTES OF MEETING – MARCH 14, 2006

Present: Frank A. Consolati, Chairman, Gordon D. Bailey, Patricia D. Carlino, Board of Selectmen  
Robert L. Nason, Town Administrator

Ch. Consolati called the meeting to order at 7:00 PM.

1. **Approval of Minutes:** February 28, 2006
2. **Public Hearings:** 7:00 PM – Lee Scenic Mountain Act – Ch. Consolati opened the public hearing at 7:00 PM which was continued from Feb. 28<sup>th</sup>. Rob Hoogs, Foresight Land Services, came before the Board. The public hearing for discussion of the Lee Scenic Mountain Act was continued to allow for public comments. The map for this act was left in the Lee Public Library and the Board of Selectmen's office. There were no public comments. Mr. Hoogs reiterated some of the points of the act. It is basically to have control over construction on mountain tops and steep slopes. The process begins with the Selectmen approving the map. It then goes to the Conservation Commission to adopt the regulations and then to the Attorney General's office for inspection and final approval. When approved, it will become part of the town's by-laws. There being no further discussion, the Board voted, unanimously, to approved the map labeled as "Town of Lee, Mass. - Conservation Commission – Scenic Mountain Act Regulations – Mapped Mountain Regions – December 2005, Revised March 2006 – Prepared by Foresight Land Services".

8:00 PM – Kerry Casey – Special Permit Application – Continued from Feb. 28, 2006 - Ch. Consolati opened the public hearing at 8:00 PM. The Board received a communication from Mr. Casey stating he wished to withdraw his special permit application, without prejudice. The Board voted, unanimously, to accept the withdrawal. The public hearing closed at 8:03 PM.

3. **General Business:**

Rich Vinette, Executive Director, Lee Community Development Corp., came before the Board to discuss working with the town to qualify for Community Development Block Grant funds. The town must first have a community development strategy and he would like to have the Selectmen designate the Lee CDC as the contact organization. A public hearing will be held on Tuesday, March 28<sup>th</sup> at 7:00 PM, the Selectmen's meeting. At that time he would like input as to what the town is looking for with regard to community development projects and activities and prioritize a list. This is critical when seeking grant funding for any of the proposed projects. The Lee CDC will assist the town in developing a community plan. The Board voted, unanimously, to designate Mr. Vinette and the Lee CDC as the town's contact representative to submit and on-line CDBG application for downtown economic development planning. Recalling that he had previewed the multi-town Community Development Block Grant application at the February 14, 2006 meeting, Mr. Nason reported attending the Berkshire Housing Development Corporation's (BHDC) March 13, 2006 presentation of the proposed five-town home improvement program to the Lanesborough Select Board, who had agreed to serve as the lead community. He reported that BHDC Senior Vice President Thomas Webb represented to the Lanesborough Select Board that the application requested funds for four \$35,000 and one \$45,000 home rehabilitations in each of the five communities, Lanesborough, Lee, Hinsdale, Savoy and Florida.

The Board received a letter from Tom and Lauren Finnegan once again asking permission to hold the Dorothy Finnegan 5k Race for Education. The monies raised provide scholarships for deserving Lee High School graduates. This will be the fifth annual race and will be held prior to the start of the Memorial Day parade. The Finnegan's will be contacting the DPW, Lee police and fire chiefs. The Board voted, unanimously, to approve the race.

The Board received a letter of resignation from Jody Chiquoine, ZBA member. The Board voted, unanimously, to accept the resignation with regret.

The Board received a memo from Chris Pompei, DPW Supt., regarding bids for wastewater treatment sludge removal and disposal. He received two bids, Synagro Technologies in the amount of \$0.136/gal. and Waste Water Services, Inc. in the amount of \$0.1097/gal. Mr. Pompei recommended awarding the bid to Waste Water Services, Inc. The Board voted, unanimously, to approve the recommendation.

The Board received a recommendation from Town Counsel that the town adopt a policy that if any employee is required to forfeit his/her retirement benefits as a result of misconduct under the provision of M.G.L. Ch. 32, Sec. 15, then all benefits due them from the town shall also be forfeited. The Board voted, unanimously, to adopt this policy.

After a favorable evaluation by the Selectmen, they voted, unanimously, to approve a new contract for the Town Administrator for a term of three years and three months.

Mr. Nason reported that after examination of the present dog pound fees, they did not adequately cover the costs of running the pound and therefore the town was losing money every year. The present fee is \$20 per day. It was suggested that for FY06 the fee be raised to \$35 per day effective immediately, subject to the Board's positive vote, and \$40 per day for FY07. The Board voted, unanimously, to approve the fee increases as presented.

The Board next discussed toll stops for this year. These are fundraisers for several non-profit organizations in town. Selectman Bailey stated he was uncomfortable with them due to the risk of someone being hit by a motor vehicle. He suggested public input to find other ways to raise money. There were six applicants for three dates, Selectman Carlino pulled the names and Lee High baseball, Lady Wildcats Basketball Booster Club and Lee Youth Association were chosen.

At this time, Selectman Bailey congratulated the Lee High Lady Wildcats Basketball team for winning the Western Mass. Division 3 championship.

The Board received a letter from the Berkshire Regional Planning Commission asking them to write a letter of support for funding for the Berkshire Conservation Agent Program that they provide. Because Lee has no paid Conservation Agent, Regional Planning feels this program is necessary to support the work of the town's volunteers in their efforts to protect our watershed. The Board voted, unanimously, to write a letter of support.

**4. Pending Business:**

Planning Board meeting April 3, 2006 at 6:15 PM – Erskine Park Definitive Subdivision Plan – Extension of current development

Selectman Carlino took this opportunity to open a discussion on the poor reception of the three national affiliates on Adelphia Cable. The Board discussed who they should speak with and Selectman Bailey said he would contact Adelphia and ask that a representative be present at the next Board meeting. Also, contact the chairman of the Five Town Cable Advisory Committee.

**5. Town Administrator:**

Mr. Nason reported on the FY07 budget. He stated that the school department has brought their budget down to a 2% increase by using more school choice funds. He has met with all departments heads. All requests have been looked at and cuts have been made. The budget is now only \$18,000 over the levy limit of Proposition 2 ½. A summit meeting will be held on March 21<sup>st</sup> at 7 PM in the Airoidi Building with the School Committee, Finance Committee, Board of Selectmen and all town representatives have been invited. Selectman Bailey stated at this time that no one supports closing the communications center. He didn't know how is rumor started, but it is totally false.

**6. Public Comments:** None

**7. Motion to adjourn:**

The Board voted, unanimously, to adjourn at 8:05 PM. Their next regular meeting will be Tuesday, March 28, 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