

BOARD OF SELECTMEN  
MINUTES OF MEETING – APRIL 10, 2007

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

Ch. Carlino called the meeting to order at 6:30 PM. Upon motion duly made and seconded the Board voted, unanimously, to go into executive session for the purpose of discussing litigation and returning to open session at 7:00 PM. Roll call: Carlino yes, Bailey yes, Consolati, yes.

**1. Approval of Minutes:** February 27, March 13, 2007, March 27, 2007

**2. Public Hearings:** 7:00 PM – Federal House Inn – New wine only annual license. Ch. Carlino opened the public hearing at 7:00 PM but Philip and Barbara Broyles were not present. Upon motion duly made and seconded, the Board voted, unanimously, to continue the hearing until 7:30 PM. At 7:30 PM Ch. Carlino reopened the public hearing. Philip and Barbara Broyles came before the Board to ask for a wine only alcoholic beverages license. Mrs. Broyles explained that they would like to be able to serve wine for parties, off season luncheons and small dinners. Mr. Broyles said he has taken the TIPS program. After discussion, the Board voted, unanimously, to approve the license.

**3. General Business:**

Susan Kelley, Town Treasurer, came before the Board with the Insurance Advisory Committee recommendations for health and life insurance providers. The recommendation was MIA Blue Cross Blue Shield for health insurance. The increase was only 4.9% and the coverage did not change. The recommendation for life insurance was AIG, Inc., the town's current provider with a 0% increase. The Board voted, unanimously, to accept the recommendations as presented.

The Board next discussed the matter of the retirement of Jerome Scully, Town Counsel. Atty. Scully has recommended Atty. Jeremia Pollard who is an associate at Hannon Lerner law offices. Atty. Pollard would become an employee of the town with benefits and would have to work at least 20 hours. Atty. Pollard has agreed to those terms. After a brief discussion, the Board voted, unanimously, to appoint Jeremia Pollard as Town Counsel effective July 1, 2007.

Ronald Glidden, Police Chief, came before the Board to discuss the heavy commercial vehicle amendment to the by-laws. The document is the same as presented at the last meeting with the increase fee suggested by Selectman Bailey. Chief Glidden stated that this does not have to go to town meeting because there is already a traffic by-law in place and this is considered a regulation and only needs the Board's approval. The Board voted, unanimously, to adopt the heavy commercial vehicle by-law amendment.

The Board next brought back the discussion on whether or not to ban alcohol at Sandy Beach. Public opinion was overwhelmingly in favor of a ban. The Sandy Beach Committee was also in favor of a ban. Chief Glidden said he is recommending the town by-law concerning the regulation of alcohol be amended to include the prohibition of alcohol at any public beach or picnic area maintained or managed by the town. He would impose a fine of not less than \$50 per violation. Deidre Consolati, Chairman of the Sandy Beach Committee, came before the Board to ask them if they would be in favor of letting the beach committee members regulate the alcohol ban. They would post signs regarding the ban and have a telephone number available to call if violations are witnessed. The beach committee members would regularly monitor the picnic area and report any violations to the police department. Also the lifeguards all have cell phones. She further stated that the committee would meet monthly to review how their policy is working. Ms. Consolati said they would document the name of the violator. For the first offense, the violator would be asked to get rid of the alcohol; the second offense would be for the violator to leave the beach; the third violation would be a ban from the beach for the season. Ms. Consolati said the committee is asking for a second seasonal groundskeeper. One of the duties of this position would be to monitor the parking lot. Ms. Consolati asked the police chief if the special police officer hired for the summer would be used as a presence at the beach. Chief Glidden said that funding for that position includes special conditions and he didn't feel that officer could be used at the beach. Chairman Carlino said she didn't feel the members of the beach committee should be monitoring the ban. It should be a matter for the police. Ch. Carlino also asked Ms. Consolati to seriously consider implementing beach stickers for residents and out of town visitors. The Selectmen agreed to try the committee's recommendation for one year.

Alan Sparks, Deputy Fire Chief, and Police Chief Glidden came before the Board to discuss a proposed new open burning by-law. This new by-law basically follows state law and would formalize the town law. The permit would be valid for one year. The burning season starts on Jan. 15<sup>th</sup> and ends on May 1<sup>st</sup>. The permits would be available from the Lee Communications Center and they would keep a daily log of all permits issued. The second component to this by-law pertains to campfires. Deputy Chief Sparks said that presently there is no by-law to regulate campfires and they are a nuisance. Complaints of burning garbage and all night burning are numerous in the summer months. This by-law would

restrict the size, what can be burned and when it can be burned. After discussion, the Board voted, unanimously, to put the article on the annual town meeting warrant as written.

The Board next discussed with Deputy Chief Sparks the matter of a stipend for the volunteer firefighters. It would be a reward for attending training sessions and responding to fire calls. The amount paid would be determined on a points system and would not exceed \$1,500 per person per year. Any new volunteer would have a one year probation period before they could receive the stipend. When asked how they would keep track of who went to what, Deputy Chief Sparks said the officer in charge would have a checklist of names and he would record them and it would be locked in the chief's office. After a brief discussion, the Board voted, unanimously, to place an article on the annual town meeting warrant to that affect.

Norma Maroney, Council on Aging Director, sent a letter to three local livery services asking for quotes for the COA's annual in-town transportation service for Lee senior citizens. She received one quote from Abbott's Limousine & Livery Service of Lee in the amount of \$14,400.00. The Board voted, unanimously, to award the contract to Abbott's Limousine & Livery Service.

The Board voted, unanimously, to sign a Ground Ambulance Provider Services Agreement with Blue Cross Blue Shield of Massachusetts, Inc.

The Board received a letter from Judy Morehouse regarding a walk for hunger on May 6<sup>th</sup>. This will involve area churches in Lee and 25% of the proceeds will go to the St. George's food pantry and the rest will go to the Church World Service for global hunger. The Board also voted, unanimously, to approve a temporary sign permit for the event.

The Board voted, unanimously, to approve Temporary Sign Permit applications for Prime Outlets for banner for sidewalk sales (3 separate events), for Trustco Bank and for the First Congregational Church.

Next the Board went over the draft annual town meeting warrant. Mr. Nason said that in Article 48 the pavilion at the athletic field would be replaced. Mr. Nason asked the Board if they would approve consolidating the revolving accounts articles. The Board said yes. Ch. Carlino asked about Articles 10, 14 and 15 which amount was voted on and Mr. Nason said the total amount before any subtractions. Mr. Nason also told the Board that Article 2 was still a work in progress. The Board will finalize the warrant at their next meeting on April 24<sup>th</sup>.

#### **4. Pending Business:**

Planning Board meeting April 30, 2007 @ 7:00 PM – Ralph G. Sorley, Jr.

The Board received a copy of a letter to the DPW from the Berkshire Center regarding a student spring community clean up which will take place on April 14<sup>th</sup> on Housatonic Street and the town's athletic field.

#### **5. Town Administrator:**

The fire department received a grant in the amount of \$5,300 from the Executive Office of Public Safety. The Board voted two in favor, Selectman Bailey abstaining, to accept the grant.

Mr. Nason told the Board that a candidate for the position of Custodian/EMT had been interviewed by Dennis Kelly, Lisa Breault and himself. The group unanimously agreed to hire him. Mr. Nason will appoint Matt Tyer to the position, subject to the Board's approval. Mr. Tyer has received certification as an EMT and would be starting work at the end of April. The Board voted, unanimously, to approve the appointment.

Mr. Nason explained to the Board that Lisa Breault, Ambulance Director, has taken a new position and now works during the day. She and Mr. Nason discussed how to maintain the day to day duties required and they came up with the position of Assistant Ambulance Director who would receive 30% of the stipend Ms. Breault now received. After interviewing two excellent candidates, it was agreed that Tom Arment was the choice. The Board voted, unanimously, to approve the appointment of Tom Arment as Assistant Ambulance Director.

Mr. Nason told the Board that the Personnel Board had looked at changes to the leave and travel policies. The leave policy would now include carry over of five days of vacation to be used within two months of the new fiscal year. The Board voted, unanimously, to approve the change. The next was an increase to the meals reimbursement in the travel policy. The increase would be \$7.00 for breakfast, \$12.00 for lunch and \$22 for supper. The Board voted, unanimously, to approve the change.

#### **6. Public Comments: None**

**7. Motion to adjourn:**

The next regular meeting will be Tuesday, April 24, 2007 at 7 PM. The meeting adjourned at 8:40 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