

BOARD OF SELECTMEN
MINUTES OF MEETING – JANUARY 22, 2008

Present: Ch. Gordon D. Bailey, Frank A. Consolati, Patricia D. Carlino, absent, Board of Selectmen.

Robert L. Nason, Town Administrator

Ch. Bailey called the meeting to order at 7:10 PM.

1. **Approval of Minutes:** January 8, 2008

2. **Public Hearing:** None

3. **General Business:**

Susan Svirsky of the U.S. Environmental Protection Agency came before the Board to make a presentation on the Housatonic River cleanup of PCB's. She stated that under its legal agreement with EPA, General Electric Co. is currently evaluating potential cleanup alternatives for PCB's released from the GE facility in Pittsfield, MA to the Housatonic River. The river extends from the confluence of the East and West Branches in Pittsfield to the Derby-Shelton Dam in Connecticut. Upon completion of the evaluation, GE will submit for EPA's review and approval a Corrective Measures Study (CMS) documenting this work, including GE's preferred cleanup plan. Following a specific process, EPA will make the final remedy selection decision. She went on to explain the alternatives and technologies being evaluated, the evaluation criteria that will be used by EPA to select a cleanup plan, and the opportunities for public input to the process. She said that one and one-half miles of the river had been cleaned at a cost to the EPA of over \$90M. Members of the Conservation Commission asked several questions including plantings and whether or not the Commission would have any input on the final cleanup plan. Ms. Svirsky said that this was strictly a federal government project but that there would be a public hearing in Lee on March 27th at the Middle/High School and all comments would be considered. The presentation concluded and the Board thanked her for her time and efforts.

Chris Pompei, DPW Supt., came before the Board with a recommendation that the town's emergency snow and non-snow contract be awarded to LB Corp. There were two bidders, the lower being B & B Landscaping. However, they failed to include a non-collusion affidavit which immediately nullified their bid. The Board voted, unanimously, to award the contract to LB Corp.

Next, Mr. Pompei presented the Board with the wastewater treatment plant Change Order No. 6 from Metcalf & Eddy for C.H. Nickerson & Co. in the amount of \$23,542.03. Mr. Pompei briefly went through the list of items in this change order. At the recommendation of the Project Engineer, Metcalf & Eddy, the Project Manager, Mr. Pompei, and the WWTP Oversight Committee, the Board voted, unanimously, to approve Change Order No. 6 as presented.

Richard Vinette, Executive Director, Lee Community Development Corp., came before the Board to let them know that the application for the CDAG grant had been filed although he was still providing supplementary information for it to the Dept. of Housing and Community Development. He mentioned that there were funds remaining in an old revolving loan fund from a prior grant. The sum was a little over \$7,000. It would be used for future planning and design studies for the downtown. The Board had no objection to using the funding if it was used only for CDAG projects. Mr. Vinette next told the Board he is working with Berk. Regional Planning Commission to look at possible commitment points for the town's FY08 Commonwealth Capital Grant application.

William Rodhouse came before the Board to ask their approval of a Class II used car license at 765 Cape Street, property currently occupied by Larson Foreign Car Repair. Mr. Rodhouse has been a BMW salesman for many years. He would have no more than ten vehicles on the lot at any given time and there are lifts inside the building for repair work. No work would be done outside. Ch. Bailey advised him to contact the Building Inspector regarding any sign he may put up. The Board voted, unanimously, to approve the license.

At the recommendation of the Planning Board, the Board voted, unanimously, to appoint Harold Sherman to serve as their Associate Member.

The Board voted, unanimously, to approve a utility cut permit to Berkshire Rooter Plumbing for emergency sewer repairs at 120 Orchard Street on January 10th.

The Board voted, unanimously, to approve an entertainment permit for Sullivan Station Restaurant.

The Board voted, unanimously, to approve two one day wine and malt licenses for the Lee Sportsmen's Association for events on Feb. 10th and March 30th.

4. **Pending Business:** None

5. **Town Administrator:** Mr. Nason reported that the town has reached an agreement with the police union which would give the members the same COLA increases, vacation carryover and retroactive pay back to Jan. 1, 2006. Also, a letter agreement that would adopt a 14 day work period in accordance with the Fair Labor Standards Act effective February 2, 2008. The Board voted, unanimously, to approve both the contract and to adopt, effective February 2, 2008, a 14 day work period under Section 207K of the Fair Labor Standards Act for police and fire fighters.

Mr. Nason told the Board he received a letter from the Lee Youth Association asking if they could once again use the Airoidi Building for a children’s clothing consignment sale. The sale would take place on March 29th. The Board had no objections to the use of the building.

6. **Public Comments:** None

7. **Motion to adjourn:**
The next regular meeting will be Tuesday, Feb. 5, 2008 at 7 PM. The meeting adjourned at 9:05 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 |