

BOARD OF SELECTMEN
MINUTES OF MEETING – JUNE 17, 2008

Present: Ch. Gordon D. Bailey, Patricia D. Carlino, Frank A. Consolati, absent, Board of Selectmen.
Robert L. Nason, Town Administrator
Ch. Bailey called the meeting to order at 7:00 PM.

1. **Approval of Minutes:** None
2. **Public Hearing:** 7:00 PM – Rosewood Grille, - New All Alcoholic Beverages License – Ch. Bailey opened the public hearing but the attorney for the applicant would not be present until 7:30 PM so upon motion duly made and seconded, the Board voted, unanimously, to close the public hearing and reopen it at 7:30 PM.

Ch. Bailey reopened the public hearing for the Rosewood Grille at 7:30 PM. Atty. Mark Vincelle was present representing Ronnie Rose, the applicant. Atty. Vincelle told the Board they were here two months ago on the transfer of a license from Sweet Basil Grille but that deal fell through. Ms. Rose has an agreement with the landlord of the property to open a new business. Ms. Rose managed the Sweet Basil Grille for many years and has been in the restaurant business for 15-20 years. Selectman Carlino asked about the TIPS program. Ms. Rose said she has taken it and will have her other employees take it also. Ch. Bailey asked for public comments and there were none. Ch. Bailey asked if they had a problem with only two Selectmen being present to vote on the application and they said no. Upon motion duly made and seconded, the Board voted, unanimously, to approve the application for a new all alcoholic beverages license for Rosewood Grille. The public hearing closed at 7:35 PM.

3. **General Business:**

The Board received a contract from Police chief Ronald Glidden to replace a police cruiser, which is done on an annual basis. The Police Dept. will purchase a 2008 Ford Victoria Police Sedan for \$28,359 from M-H-Q Municipal Vehicles through the Greater Boston Police Council Cooperative Procurement Contract, which includes transferring equipment from the older vehicle that is being replaced and purchasing additional equipment for the new vehicle. The Board voted, unanimously, to sign the contract with M-H-Q.

The Board next addressed the 2008 Sandy Beach season. Chief Glidden came before the Board to explain the parking restrictions for this coming season. He said once again parking permits will be necessary and are available to Lee residents, their guests, visitors to local motels, inns and B & B's, and campers at October Mt. State Forest. The passes will be available at the Communications Center and from the Special Officer on duty. The restricted parking begins on July 4th at 10 AM and will continue on Friday from 1 PM to 4 PM and Saturday and Sunday from 10 AM to 4 PM. Any vehicle without the appropriate pass will be denied access to the beach parking lot. The parking passes are free. He said the beach can still be accessed by pedestrian, bicycle or boat traffic and is not restricted to residents or their guests. Car pooling is encouraged. Deidre Consolati, Chairman of the Sandy Beach Committee, came before the Board and stated the beach road is washed out and asked the DPW to make the road passable before the season opens which is July 25th. The Board asked about the weeding of the lake and Ms. Consolati said that had been completed along with the clean-up by the work release crew from the county jail. The Board thanked them for their time and efforts.

The next item on the agenda involved the wastewater treatment plant and pollution discharge limits recently imposed by the EPA. Present were Robert Scherpf, Metcalf & Eddy, Project Engineer and Paul Hogan, Mass. DEP. Mr. Scherpf explained that the EPA has now proposed a discharge limit of .2 mg/l of phosphorus, down from the original .8 mg/l limit proposed when the plant was originally designed. Mr. Scherpf said he will be asking for the DEP for relief from this more restrictive limit. There is a draft permit available for public comment. Paul Hogan, Mass DEP, spoke on the application for the renewal of the permit for the wastewater treatment plant. There is a 30 day public comment period for the draft permit. He said that state and federal permits are required. Discussion on the phosphorus limit. Mr. Scherpf said that the cost for equipment to bring the phosphorus levels down would cost approximately \$100,000 but SRF funding would be available to do it. Discussion on why this lower limit wasn't known during the design phase. Mr. Scherpf said they knew about it but didn't think it would be necessary for several more years. Ch. Bailey asked if the town had enough funds left from the construction of the new plant to pay for the implementation of the new design. Mr. Nason had the numbers but was unsure what the bottom line would be after all funds were expended. Mr. Scherpf said that operating costs were the biggest concern and the new regulations would add several thousand dollars to the cost of operation. Selectman Carlino asked if it would be better to do the up-grade now rather than later. Mr. Hogan said yes and the project would qualify for current ARF funds.

Chris Pompei, DPW Supt., came before the Board with Change Order #8 for the wastewater treatment plant. The total amount due in the change order is \$128,720.00. Mr. Pompei read a list of 13 items that comprised the change order. Mr.

Pompi said that they all been approved by the Oversight Committee. The Board voted, unanimously, to approve Change Order #8.

Mr. Pompi next discussed that Stockbridge Road reconstruction proposal that was voted down at the May 8, 2003 (Fy04) annual town meeting. The residents along that road do not want a “super highway”. Mr. Pompi said the state has new standards and felt it should be brought back to town meeting for reconsideration. He felt it should not be taken off the TIPS list at this point. The Selectmen agreed.

Todd Morin, Finance Committee member, and William Enser are both members of the newly created Energy Efficiency Committee. Mr. Morin brought before the Board a Municipal Wind Turbine Site Survey Application. He has also found a technological collaborative in Massachusetts that works on alternative energy sources. He would like to move forward with the study. A prime area for this project is east of East Street, up on the side of the mountain, some of which is municipally owned and some is state forest. He is asking the town to look at sites. One stumbling block could be the Scenic Mountain Act, but Mr. Morin said he would be meeting with the Chairman of the Conservation Commission on this matter. Mr. Enser said this will be a publicly owned entity and will not just be used by the water treatment plant but for the whole community. Ch. Bailey asked about the cost to the town and Mr. Enser said there were grants available for such a project. There was discussion about the possibility of hydroelectric power plants and Ch. Bailey wanted to see all types of alternative energy sources explored. The Board voted, unanimously, to have the Energy Efficiency Committee go forward with the wind turbine study.

Dayton Delorme, Board of Assessors, came before the Board with a proposed Special Tax Agreement for the F.L. Roberts project at the Diesel Dan site on Route 102. Also present were William Derrick and Edward Briggs, Assessors, Rich Vnette, Lee CDC Executive Director, Maureen Hayes, Jeremia Pollard, Town Counsel, and Steve Roberts, Developer. Mr. Delorme said that he was looking for the Selectmen’s approval of a tax relief agreement for the F.L. Roberts site. Mr. Delorme explained that this particular agreement was different from any they have ever seen before. Mr. Roberts wants all the projects, restaurant, convenience store, car wash, etc., as separate units. This tax relief agreement would be for 15 years starting in the first year with 100% tax relief on both the building and the entire parcel of land. The percentages of relief would then decrease until the 16th year which would be back to 100% value of the property due to the town. There was a lengthy discussion about how the individual units would be considered in the tax agreement as they began construction. Would each one have a 15 year relief period. Atty. Pollard was unclear with the language in the proposed agreement. This will have to be looked into further. Mr. Vnette told the Board there are 103 jobs projected when the entire complex is completed. There was further discussion regarding how to determine the tax relief period for each unit of the project. The Selectmen said they would meet again on Friday, June 20th at 9AM to allow the parties to work out the details of this portion of the agreement at which time, if ready, the Board will vote to sign it.

Mr. Vnette said the town received a \$100,000 grant for the Chapter 43D program. Mr. Vnette will have more news as the project is started. He said he is trying to plan an event for the second week in July at the high school sponsored by the CDC. It will be the final presentation by the Harvard students on what they perceive for downtown development. The CDC also has a draft recommendation for downtown development for the Board’s consideration.

The Board thanked Rep. Smitty Pignatelli for his efforts in securing a \$1M bond authorization for the town for economic development of the downtown.

William Derrick, Board of Assessors, came before the Board to recommend revaluation services for FY09 through FY11. The Assessors received two proposals and Real Estate Research Consultants, Inc. were considered the most advantageous of the two. Mr. Nason explained that even though RRC was \$500 higher than the other proposal, it would be time consuming to train a new consultant and that would add additional expense greater than the price difference. The proposed savings to the town for outsourcing this work is \$112,600. This will be for both commercial and residential properties. The Board voted, unanimously, to approve the recommendation and sign an agreement.

Jamie Cahillane, Director of Recycling Services, the Center for Ecological Technology, came before the Board to discuss recycling proposals. The first is for household hazardous waste collection through the Southern Berkshire Regional Household Hazardous Waste Collection Collaborative. The town pays a once yearly fee to have its residents dispose of their waste. A comprehensive collection will be held in Lee on July 11th. The Board voted, unanimously, to approve an agreement with the collaborative.

Mr. Cahillane next asked the Board to approve a consulting agreement with CET for services it provides for the town for grants to provide recycling materials such as rain barrels, composting bins and curbside recycling bins for the town. The price for the services would be the same as in FY08. The Recycling Committee recommends this agreement. Mr. Cahillane read a list of recycling accomplishments by Lee residents. Monica Ryan, Recycling Committee member, praised Mr.

Cahillane's work and the work of the Recycling Committee on behalf of the town. The Board voted, unanimously, to approve the agreement. Mr. Nason said that he is working with Daley & Sons Trucking to compensate it for delivering recycled materials to the Springfield Materials Recycling Facility. The Board will take this matter up at their next meeting.

The Board voted, unanimously, to approve an agreement with the Berkshire Regional Transit Authority for trolley services for FY09.

The Board voted, unanimously, to approve the fee schedule portion of the Conservation Commission's budget for FY09 in the amount of \$5,704.00.

At the recommendation of the Planning Board, the Selectmen approve an agreement with Hill Engineering for design review services for a new project, Moose Drive Subdivision.

Ch. Bailey read a list of one and three year Selectmen's appointments for FY09. The Board voted, unanimously, to approve the appointments. Mr. Nason noted that this was not a complete list and more would be coming for the next meeting.

The Board voted, unanimously, to approve Utility Cut Permits for the following: D Condron Construction for the widening of 100 feet of Meadow Street and install curbing at Oak N' Spruce property; Berkshire Gas Company to install new service at 175 Silver St., repair service at 35 Runway, retire service at 35 Pine Ridge Dr.

The Board voted, unanimously, to approve a formula grant for the Council on Aging for an amount to be determined at a later date.

4. Pending Business: None

5. Town Administrator:

Mr. Nason asked the Board, at the recommendation of the Sandy Beach Committee, to approve his appointments of Angelica Burnett, Managing Guard and Senior Guards Megan Streeter, Steve Laurin and Brian Beauregard. William Tyer has resigned a groundskeeper and Kalia Buffis has resigned as a lifeguard. The Board voted, unanimously, to approve the appointments as stated.

Next, Mr. Nason asked the Board to approve a change in schedule for the Land Use Assistant for the months of July and August. She has asked to work Monday, Wednesday and Thursday for those months to fulfill a family obligation. The Board voted, unanimously, to approve the change in schedule.

Mr. Nason asked the Board to approve a change in schedule for the Town Treasurer for the summer to accommodate her family. She would like to work Monday evening and change her hours to 8 AM to 3:30 PM. Her office will be covered on Monday during the day by her Clerk. The Board voted, unanimously, to approve the changes.

Mr. Nason stated that Glenn Wilcox, Captain of the Lee Fire Department, has been awarded the honor of Fireman of the Year for 2008 by the Emergency Medical Services Corporation of Berkshire County. The Board thanked Mr. Wilcox for his efforts on behalf of the town and its citizens.

6. Public Comments: None

7. Motion to adjourn:

The next regular Selectmen's meeting will be July 1, 2008 at 7 PM. The Board will hold a special meeting on June 20th at 9 AM to continue their discussion on the F.L. Roberts special tax agreement.

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