

BOARD OF SELECTMEN  
MINUTES OF MEETING – SEPTEMBER 2, 2008

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

**1. Approval of Minutes:** None

**2. Public Hearing:** 7:00 PM – Lee Citgo – New Wine and Malt Packaged Goods License – Atty. John Graziano present representing Muhannad Musa, Manager of the Lee Citgo, who was also at the hearing. Atty. Graziano stated that the applicant met all the legal criteria to obtain an alcoholic beverages license. He also stated that Mr. Musa has previous experience operating a convenience with a liquor license. Mr. Musa's wife and another employee 27 years of age also work at the store have previous experience. Selectman Bailey asked about the percentage of area the alcohol displayed would occupy and the floor plan showed a very small area in the rear of the store. Atty. Graziano confirmed this. Kathleen Hanley of 75 Housatonic St., an abutter, came before the Board to express her concerns about having alcohol sold at this establishment. She cited heavy foot traffic that included school aged children. The store does not close until 11:00 PM. Ch. Consolati stated that the Board set a precedent by granting other gasoline service stations in town alcoholic beverages licenses. He felt this one should not be denied because of that precedent. Selectman Carlino agreed. This is the last packaged goods license left that the town can approve. The Board also discussed whether or not Mr. Musa wanted to sell alcohol on Sunday and he said yes. There being on further discussion, the Board voted, unanimously, to approve the alcoholic beverages license and to allow its sale on Sunday. The public hearing adjourned at 7:15 PM.

**3. General Business:**

Chris Pompei, DPW Supt., came before the Board for approval Chapter 90 funding requests in the total amount of \$226,916.00 for road paving projects in town. The Board voted, unanimously, to approve the requests with the environmental check list.

The DPW received bids for paving from Palmer Paving Corp., LB Corp. and Lane Construction. All three bids came in higher than the amount appropriated at town meeting. Palmer Paving was the lowest of the three bidders. Mr. Pompei had to eliminate one road project, Golden Hill Extension, in order to decrease the cost to \$431,572.50, the amount of funds available for the project. Dennis Kelly will watch these projects to see if Golden Hill Extension can be included. The Board voted, unanimously, to award the paving contract to Palmer Paving Corp. in the amount of \$431,572.50.

The Board received a letter from Dennis Kelly, Asst. DPW Supt., recommending a crack sealing award to Crack Sealing, Inc. of Rayham, MA in the amount of \$25,000, plus 10% contingency. This came from the Berkshire Regional Group Purchasing Program. The streets to be sealed are Summer, Greylock and Fuller. This funding was appropriated at town meeting. The Board voted, unanimously, to award the contract as recommended in an amount not to exceed \$27,500.00.

Mr. Nason asked the Board to approve an extension of the Expedited Local Permitting Grant Contract that had an original expiration date of June 30<sup>th</sup> and authorize him to sign it. This will give the town the ability to utilize the funding for FY09. The Board voted, unanimously, to approve the extension and the signature authorization.

The Board received a letter from Police Chief Gildden asking them to approve the disposition of a 2000 unmarked Ford Crown Victoria automobile. This vehicle will be put out to bid using the same procedure as in previous years. The Board voted, unanimously, to approve the disposition

The Board voted, unanimously, to approve a one day wine and malt license to the Lee Fire Company.

The Board voted, unanimously, to approve a utility cut permit to James Leahey Excavating for work to be done at 59 Rose Avenue.

The Board voted, unanimously, to approve Berkshire Gas Company permits to install new service at 475 Stockbridge Rd., 489 Greylock St., 35 Parkview Terr., and 135 Fairview St.

**4. Pending Business:**

Ch. Bailey announced a household hazardous waste mini-site collection at the Lenox DPW on Sept. 13<sup>th</sup> from 9AM to 11 AM. Pre-registration is mandatory at 800-238-1221 Ext. 17.

The Board discussed their annual site inspection at Oak N’ Spruce Resort. The members suggested any day during the week of Sept. 22<sup>nd</sup>. Their secretary will contact SK Design Group to secure a date and time and report back to the Board.

The Planning Board will hold an information meeting regarding proposed changes in the zoning by-laws on Route 102 on Sept. 22<sup>nd</sup> at 7 PM in the Town Hall courtroom.

**5. Town Administrator:**

Mr. Nason received a letter from Police Chief Glidden recommending Ryan McCusker and Devin Mackey to the position of year round Special Officer. Mr. McCusker and Mr. Mackey were both seasonal officers this summer. They will be used on a part-time basis to assist where needed. Mr. Nason asked that the Board approve his appointment of these two positions. The Board voted, unanimously, to approve Mr. Nason’s appointments.

Mr. Nason advised the Board that the town is still looking for ways to take advantage of using lighting from a community solar power energy project. The gazebo was one suggestion but it is already lit by use of a sensor. This lighting must be used on town owned property and he is open to any suggestions residents may have.

Mr. Nason said that the Berkshire Regional Planning Commission Traffic Study meeting held recently was televised on CTSB and a copy of the meeting is at town hall. There is also a list of when the meeting will be rebroadcast and that is listed on the town’s website.

**6. Public Comments:** None

Selectman Bailey commented on the current gas prices in town and stated they are still not low enough. The prices in town are still higher than in the City of Springfield. He then stated that heating oil prices will be the next problem.

**7. Motion to adjourn:**

The next regular meeting will be Tuesday, Sept. 16, 2008 at 7 PM. The meeting adjourned at 8:00 PM.

Respectfully submitted,

Suzanne M. Alderman, Selectmen’s Secretary

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| 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              |