

BOARD OF SELECTMEN
MINUTES OF MEETING – FEB. 3, 2009

Present: Ch. Frank A. Consolati, Patricia D. Carlino, absent, 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:** Jan. 20, 2009

2. **Public Hearing:** None

3. **General Business:**

This first item on the agenda, Crossway Village Lease Amendment, was not ready for consideration by the Board and they passed over it until their next meeting on Feb. 17, 2009.

The next item was the Upper Housatonic River Area of Critical Environment Concern (ACEC) designation proposed by members of Green Berkshires and Save the Housatonic. Richard Birch, Chairman, and David Durante, member, Planning Board, were present to discuss what the Planning Board had recommended regarding the boundaries for the ACEC at their meeting last evening. Mr. Birch said the Planning Board voted to exclude all properties on the east side of the river from the southerly edge of Woods Ponds to Bradley Street. Durante stated that the Lane and Garrity properties should be removed from the ACEC designation. He does not want to discourage expansion. Edward Lahey, Mill Street resident, was concerned that the Lane property would become a dump site for the General Electric cleanup of the river. He would like to see the Lane property left in the ACEC. He also stated he is not in favor of the proposed biofuel plant moving into the Niagara Mill property in Lenox. Deidre Consolati, Lee Land Trust, came before the Board and read a letter from the Land Trust in favor of the ACEC designation. She also presented the Board with a petition signed by herself, Linda Cysz, Mary Lee Johansen, Elizabeth Leahey, Edward Handberg, DeeDee Fraser and Mark Curtin in favor of the proposed designation. Eleanor Tillinghast, Green Berkshires and Save the Housatonic, came before the Board to suggest the ACEC designation remain as proposed but designate the Lane and Valley Mill properties under Chapter 43D. She also said the biofuel plant was a good idea with MEPA review. Further discussion on the potential GE dump site at Lane Construction and the fact that the EPA decisions would supercede any state or local regulations. Selectman Bailey said that after reading the paperwork provided by Ms. Tillinghast, he was satisfied that the properties in question could be used for expansion and was comfortable with the extra level of review the ACEC designation would provide. Ch. Consolati was not against any protection for the Housatonic River but was not in favor of the boundaries set forth in the proposed ACEC designation. Also Selectman Carlino was not present, Ch. Consolati passed along her comments that she agrees with the Planning Board's recommendations for moving the boundaries. Ms. Tillinghast said that the Berkshire Regional Planning Commission was meeting this Thursday night and needed the Board's recommendations by that date. The Selectmen agreed to continue this meeting to Thursday, Feb. 5th at 3:30 PM to continue this discussion.

The Board received a letter from Berkshire Regional Planning Commission asking the town to appoint a member to the Berkshire Transportation Advisory Committee. Representatives need not be members of municipal boards but cannot be members of the Metropolitan Planning Organization. Ch. Consolati asked anyone interested, please contact the Selectmen's office.

4. **Pending Business:**

ZBA hearing – Feb. 18th at 7 PM – Lee Corporate Center sign permit appeal – Selectman Bailey said he read through the paperwork on this appeal and would recommend the ZBA not grant this permit as it is not allowed in the town by-laws.

5. **Town Administrator:**

Mr. Nason thanked Audie Furgal for temporarily sharing the position of Administrative Assistant for the Conservation Commission while Martie Martin attends finance classes.

Mr. Nason told the Board that for the remainder of FY09 the town will be receiving \$75,000 less in state aid. He will have more information for the next meeting. For FY10 there will be a reduction in state aid of \$140,000 if proposed new tax increases are passed. The reduction will be \$220,000 if not passed. This is not including losses in local revenues.

Mr. Nason said the Energy Efficiency Committee was looking into ways to get better prices for the supply of the town's electricity. He said they are looking at four different options. They are also looking to purchase oil from the Berkshire Region Group Purchasing Program.

6. **Public Comments:** None

7. Motion to adjourn:

The next regular Selectmen’s meeting will be Tuesday, Feb. 17, 2009 at 7 PM. Upon motion duly made and seconded, the Board voted, unanimously, to continue this meeting to Feb. 5, 2009 at 3:30 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