

BOARD OF SELECTMEN
MINUTES OF MEETING – MAY 5, 2009

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

1. **Approval of Minutes:** April 22, 2008, April 28, 2008, May 6, 2008, June 20, 2008, April 21, 2009

2. **Public Hearing:** None

3. **General Business:**

Phil Smith, former Director of the Lee Chamber of Commerce, came before the Board with a Temporary Sign Permit Application on behalf of Jacob's Pillow to ask if banners could once again be installed on light poles in the downtown corridor to promote Jacob's Pillow and to waive the filing for the permit. He stated that there would be the same number of banners as last year, 40, and six of them would promote the town and the chamber. He said they were also looking to put banners on Housatonic and Water Streets. Selectman Bailey asked about those poles and Mr. Smith said the Pillow will ask permission from the pole owner. Selectman asked about possible performances by the Pillow in the town. Mr. Smith said there was a grant proposal written to obtain funding from the Turnpike Authority for that purpose but it was never funded. Selectman Bailey asked about doing something in the schools, perhaps with interns. Mr. Smith will ask about that. There being no further discussion, the Board voted, unanimously, to approve and Temporary Sign Permit application and waive the filing fee. The Board thanked Mr. Smith for coming in.

The Board voted, unanimously, to approve a Temporary Trailer Permit for work to be done at McDonald's at 245 Housatonic St. This permit was approved by the Building Inspector.

The Board voted, unanimously, to approve Amendment #2 to the agreement with Yoshihiko Sato for an additional \$800.00 for additional site plan and engineering design work to be done for the athletic field pavilion.

The Board voted, unanimously, to approve Amendment #1 to the agreement with Lenard Engineering, Inc. for an extended completion date to June 14, 2009 for water and sewer mapping and water distribution modeling.

The Board voted, unanimously, to approve Berkshire Gas Co. permits to retire service at 164 W. Park St., 135 Mandalay Rd., 105 Prospect St. and 170 Prospect St.

The Board voted, unanimously, to approve a Temporary Trailer Permit for SK Design to provide a trailer at the work site at Oak N' Spruce. This permit was approved by the Building Inspector.

4. **Pending Business:** Selectman Carlino read the following announcements:

Meet the Candidates – May 7, 2009 @ 7 PM – Zukowski Auditorium Lee Middle and High School

District 1 representatives meeting – May 8, 2009 @ 6:30 PM – Town Hall courtroom

District 2 representatives meeting – May 8, 2009 @ 7 PM – Town Clerk's office

District 4 representatives meeting – May 7, 2009 @ 7 PM – S. Lee Fire Station

District 5 representatives meeting – May 11, 2009 @ 6:30 PM – Lee Library

District 6 representatives meeting – May 8, 2009 @ 6 PM – Town Clerk's office

Household hazardous waste collection – May 16th from 9 AM to 11 AM – Lenox DPW

Special and Annual Town Meetings – May 14th at 7 PM – Zukowski Auditorium Lee Middle and High School

Town election May 18th from 7 AM to 8 PM

Annual Town Reports are available on line at www.lee.ma.us and at Town Hall, Lee Library and both Post Offices

5. **Town Administrator:**

Mr. Nason informed the Board that the Designer Selection Committee for the federally funded American Recovery and Reinvestment Act project has been completed and they are Chris Pompei, DPW Supt., Mike Towler, water plant supervisor, Gerry LePrevost, Energy Committee member, Peter Jahn, BPW and Bill Enser, BPW and Energy Committee member. Mr. Nason explained that the committee will determine if the three firms that submitted qualifications/proposals meet the minimum qualification and the committee will rank the qualified firms. Mr. Pompei and Mr. Nason will negotiate a fee with the top ranked firm. If they are unable to agree upon a fee with that firm, they will advise the Selectmen of the impasse. If at that point the Selectmen have no objections, Mr. Pompei and Mr. Nason will terminate negotiations and begin negotiations with the next highest ranked firm. Mr. Nason asked the Board, if they had no objections, the process would start tomorrow. The Board had no objections.

Mr. Nason said that the School and Highway Departments have worked together to fertilize the athletic field at the wastewater treatment plant. It will be one year before the field can be used but after that time it will be up and running again.

Mr. Nason said he has looked at the house budget bill for FY10 and it restores \$117,000 to state aid. This would decrease the real estate impact on homeowners from 2.5% to 1.7%. However, because the senate bill will not be available until after the annual town meeting, he is still using the figures provided by the ways and means committee. It will be another two to four weeks before more information is available.

- 6. Public Comments:** Deidre Consolati, Sandy Beach Committee Chairman, came before the Board to ask about the possibility of moving Sandy Beach. She stated doing so would be a monumental undertaking. The Board told her that years ago, property was purchased on Laurel Lake jointly with Lenox specifically for the purpose of creating a public beach for the towns. The Board told her this property is available if something extraordinary happens and the present beach has to close but there were no plans to do anything in the immediate future.

Monica Ryan came before the Board with other concerns regarding the lake and the recent purchase of the dam by a private individual. She asked if the 12 feet of surface water the mill owned transferred to the new owner. The Board said that was their understanding.

Selectman Bailey stated he felt a meeting should be arranged with the Board of Public Works to discuss whether or not they are still needed. He would like to get an opinion from Town Counsel on this matter.

- 7. Motion to adjourn:** The Board voted, unanimously, to adjourn at 8:15 PM.

Respectfully submitted,

Suzanne M. Alderman, Selectmen's Secretary

cc:	Board of Selectmen	Board of Assessors	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