

BOARD OF SELECTMEN
MINUTES OF MEETING – JULY 21, 2009

Present: Patricia D. Carlino, Chairman, Gordon D. Bailey, David J. Consolati, Board of Selectmen.

Robert L. Nason, Town Administrator

Ch. Carlino called the meeting to order at 7:00 PM.

1. **Approval of Minutes:** July 7, 2009, Executive Session July 7, 2009

2. **Public Hearing:** None

3. **General Business:**

William Blanchard, Northeast Utilities, came before the Board to ask for approval of a Temporary Trailer Permit to place a construction trailer at 1435 Cape Street to work on transmission lines during the months of September and October. He spoke with both the Building Department and the Conservation Commission and they had no issues with the placement of the trailer. The Board voted, unanimously, to approve the permit.

Keith Herran and Matthew Carty, Zoning Board of Appeals members, came before the Board with an applicant's permitting and review processing guide for the Planning Board and ZBA. They said a draft of this guide had been forwarded to other departments for comments but did not hear back from everyone. They nonetheless decided to make the guide available and would up-date it periodically. It will be available in the Planning Board and Town Clerk's offices. Ch. Carlino and Selectman Bailey had questions regarding some of the contents and Selectman Bailey asked to meet with Mr. Herran and Mr. Carty to discuss them. The Board felt this guide was a great idea and long overdue. The Board thanked them for the time and effort they put into it.

The next item for discussion was a canoe launch to the Housatonic River by Dennis Regan. Richard Vinette, CDC Executive Director, told the Board Mr. Regan had not yet arrived and the Board said they would delay discussion until later in the meeting.

Harold Sherman, a member of the Laurel Lake Preservation Association, came before the Board to formally introduce the association and discuss what exactly they had been doing regarding the lake. Mr. Sherman said the association was formed in 1995 specifically to monitor and lake and the water shed. They are trying to increase their visibility and role in the town. In 2002 the association received a grant to do a feasibility study of the lake, a copy of which is in the Selectmen's office. Since 2003 the association has been doing water quality testing monthly. There has been an extensive weed study program on-going since 2006 and Mr. Sherman reported that the Eurasian Milfoil in the lake has increased 100%. The association is currently looking for grant funding to study the watershed surrounding the lake and are working on the zebra mussel problem. Their goal is to be the eyes, ears and hands for the town on the lake and will share information with the town on a more formal basis. Selectman Bailey asked if a member of the association would be willing to serve on the Sandy Beach Access Committee and Mr. Sherman said they would be happy to serve. Mr. Sherman asked if the Board would like to be up-dated periodically on what the association is doing and the Board said yes. The Board thanked Mr. Sherman for coming in.

Ch. Carlino addressed the formation of the Sandy Beach Access Committee and who will be serving in it. She said there will be nine members and two alternates. She stated she had not heard back from all the departments designated for this committee so the Board will continue this discussion at their next meeting.

Deidre Consolati, Sandy Beach Committee Chairman, came before the Board to say that swimming lessons have started at the beach and there may be another session in August. Anyone interested in participating should contact the beach at 243-3982. The beach committee has submitted a notice of intent to the Conservation Commission for hand pulling weeds. Ms. Consolati said she has been chosen as a member of the Sandy Beach Access Committee. The Attorney General's office will hold a public hearing on Sept. 14th to discuss public access to a great pond under MGL Chapter 91.

Ch. Carlino explained that she and Selectman Bailey went to a meeting regarding the zebra mussels in Laurel Lake at Pittsfield City Hall on July 15th. Representatives from DCR and LAPAWest were there and made presentations. Selectman Bailey suggested a boat wash station be established in Lee so the boat ramp at Laurel Lake and be reopened. He also suggested regional boat wash stations be recommended. He felt State Rep. Pignatelli and State Sen. Downing should be approached about this idea.

Ch. Carlino again recognized Richard Vinette who stated that Mr. Regan had not appeared. Mr. Vinette said he came to the meeting to support a canoe and kayak launch at the athletic field in Lee. The Housatonic Valley Association is asking the town to be the permitting applicant. The HVA consultants will file a Notice of Intent with the Conservation Commission and

are asking the town's support for this project. The town will maintain the launch after it's installed and HVA volunteers will monitor it. The Selectmen said they had no problem with supporting the project. The Board voted, unanimously, to provide the town as a permitting applicant for this project. The Board thanked Mr. Vinette for his time.

The Selectmen voted, unanimously, to approve a formula grant application from the Council on Aging that was presented to them at their meeting on July 14th and approved at that time. The Board also voted, unanimously, to approve a one day wine and malt license for the Lee Fire company that was presented at the July 14th meeting and approved at that time.

The Board voted, unanimously, to sign contracts for FY10 senior taxi service from Abbott's Limousine & Livery Service; a designer service agreement with SK Design Group for the Central Fire Station floor; an amendment to the contract for design services from SK Design Group for Washington Mt. Road water line replacement; and FY10 refuse removal and recycling agreement with Allied Waste of Pittsfield.

The Board next addressed the issue of renewable energy and energy efficiency upgrades at the water treatment plant. The Mass DEP has included in its "Intended Use Plan" \$936,000 of federal funds to upgrade the water treatment plant. These funds would be issued as a loan and this loan would then be converted to an SRF loan. The town is still awaiting confirmation of this commitment. In the meantime, the town needs to start the design process to meet project deadlines and the Selectmen need to approve \$15,000 to proceed with the design while waiting for the SRF loan to be approved. After discussion, the Board voted, unanimously, to approve an expense of up to \$15,000 to proceed with a design for energy upgrades to the water treatment plant.

Ch. Carlino announced an all boards meeting to be held on Monday, July 27th at 7 PM to discuss the proposed plans to renovate the Baird & Benton Block (formerly the Bookless Block) with Dr. Michael McMammon.

Selectman Bailey addressed an issue that occurred on July 18th when a local vendor set up a tent in the park to sell her wares but placed signs over a vast area of the town. She did receive a temporary sign permit from the Selectmen that was approved by the Building Inspector but that permit allowed for only one sign. Donald Torrico, Building Inspector, sent a letter to the Board explaining he had contacted the vendor and explained she was only allowed one sign. Ann Langlois, an owner of two business in Lee, came before the Board to express her concerns about having this type of business come into town when there are so many stores vacant on Main Street.

4. Pending Business:

Household hazardous waste mini-site collection will be held on July 29th from 4:30 PM to 6:30 PM at the Lenox DPW.

The American Red Cross will hold a blood drive on July 28th at the Council on Aging at Crossway Village.

5. Town Administrator:

Mr. Nason went over the four articles on the warrant for the special town meeting tentatively scheduled for August 6, 2009. The first article involved the renewable energy and energy efficiency upgrades to the water treatment plant. The second asked for funds to make unforeseen repairs and improvements to the wastewater treatment plant and collection system. The third asked for funds to repair the floor at the Central Fire Station and the fourth was to appropriate \$290.00 to reimburse Joe's Diner for authorized meals it provided in FY09. The Board voted, unanimous, to set the date of the meeting for August 6th and approve the four warrant articles.

Mr. Nason next discussed with the Board the increase in the hotel/motel tax by 2%. This would increase the town's share of the tax by approximately \$85,000 annually. The Board decided to discuss this matter at a future date.

6. Public Comments: None

- 7. Motion to adjourn:** The next Selectmen's meeting will be held on Tuesday, August 4, 2009 at 7:00 PM. The Board voted, unanimously to go into executive session for the purpose of discussing litigation strategy and not return to public session. Roll call: Bailey, yes, Carlino, yes, Consolati, yes. The meeting adjourned in executive session at 8:35 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