

BOARD OF SELECTMEN
MINUTES OF MEETING – SEPTEMBER 15, 2009

Present: Patricia D. Carlino, Chairman, Gordon D. Bailey, absent, 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:** Sept. 1, 2009, Executive Session Sept. 1, 2009
2. **Public Hearing:** 7:00 PM – Great American Hotdog & Hamburger Company – New wine and malt beverages license – Ch. Carlino opened the public hearing at 7 PM. She stated that at the request of the applicant, the Board had been asked to continue the public hearing on the new license until October 20, 2009 at 7 PM. The Board voted, unanimously, to continue the public hearing until October 20, 2009 at 7 PM.
3. **General Business:**
Chris Pompei, DPW Supt., came before the Board to address the water treatment plant renewable energy and energy efficiency project. Mr. Pompei introduced Al LeBlanc, Project Manager, Camp Dresser & McKee, to up-date the Board on the progress of the water plant project. Mr. LeBlanc told the Board the Lee water treatment plant energy up-date project was only one of 14 that the state is funding. Some of the things being done are installing solar panels, modifying the turbine, replacing motors driving the pumps and up-grading lights inside the plant. Mr. LaBlanc was very pleased with what was being accomplished at the plant. The Board next reviewed an amendment to the Project Engineer's Agreement reducing the fee by \$1,750.00 and increasing the time for completion of the project. The Board voted, unanimously, to approve the changes.

With Mr. Pompei present, the Board addressed an amendment to an agreement with LB Corporation for water and sewer line repairs. LB Corporation is called into service when a repair is beyond what the DPW can handle. LB Corporation has more personnel and larger equipment. The amendment calls for an increase in funds for water line repairs from \$25,000 to \$33,000 and an increase for sewer line repairs from \$15,000 to \$30,000. The Board voted, unanimously, to approve the amendment to increase funding for water and sewer line repairs taken on by LB Corporation.

Mr. Pompei told the Board that the fire flow test done on the Benton Baird Block on Main Street was successful.

Richard Vinette, CDC Executive Director, came before the Board to address the progress made by Dr. Michael McMammon regarding the purchase of the Benton Baird Block. The successful fire flow test on the building was encouraging and Mr. Vinette is now working with Dr. McMammon on securing funding through various grants and other funding sources. Mr. Vinette will also be looking to the Board to designate the building for a tax increment or special tax agreement. He will be working with Berkshire Regional Planning Commission on grant applications. He will be looking at the community development strategy. All of the many recent economic development studies will go into a community development strategy which will prioritize projects. He will be bringing that to the Board soon. He is also working with the Planning board on a parking plan. The Board thanked Mr. Vinette for his report.

The Board next met with a contingent from Hartwood Road who felt they had been wrongly treated when over charged on the FY09 real estate taxes. Joanne Koivisto of 95 Hartwood Road was spokesperson for the group. Ms. Koivisto explained that her property assessment increased as did her tax bill. Although she did not apply for a real estate tax abatement within the 30 day time period mandated by state law, she felt she and others on her street should be given a credit on the second half of her tax bill based on the fact that the Board of Assessors acknowledged an error had been made when evaluating Hartwood Road properties. William Derrick, Chairman, Dayton Delorme and Edward Briggs, Board of Assessors, were present. Mr. Delorme stated that Hartwood Road had been divided into two neighborhood groups. Ms. Koivisto's portion of the road was grouped with streets with high assessed valuations. That problem had since been rectified. Mr. Delorme also showed the audience a chart showing the time line for filing real estate tax abatements. The Assessor's Clerk, at the request of the Selectmen's chairman, wrote to the Dept. of Revenue and asked if anything could be done to give tax credits after the abatement period. The Dept. of Revenue wrote back to say there was no other recourse the Assessors had but the abatement period. Both letters were e-mailed to Ms. Koivisto. There was a lengthy discussion regarding what the Assessors could and could not do within the limits of state laws. Mr. Delorme cautioned people to save their tax bills and look at them carefully from year to year. If they notice any extreme changes, they should notify the Assessors' office immediately. Discussion on changes in the law regarding the time limit on filing abatements. They can only be done through a change in legislation. Ms. Koivisto said she would continue to pursue this issue with her state legislatures.

Mr. Nason provided the Board with copies of FY10 collective bargaining agreement with Teamsters Local 404, Highway/Cemetery and Water Distribution workers and emergency dispatchers. Each agreement is for one year. Mr. Nason

noted the changes in the highway/cemetery/water distribution agreement including a change in bereavement leave, increased bonus from \$1,000 to \$2,000 for water distribution licenses and a wage increase of 2.25%. The dispatchers agreement includes changes in bereavement and a 2.25% wage increase. The Board voted, unanimously, to approve the agreements for highway/cemetery/water distribution workers and emergency dispatchers.

The Board voted, unanimous, to approve an entertainment license and one day wine and malt license for The Grind, 62 West Center St., for a one day event on Saturday, Sept. 26, 2009.

At the recommendation of the Planning Board, the Selectmen voted, unanimously, to appoint Thomas Wickham as the town's alternate delegate to Berkshire Regional Planning Commission.

The Board voted, unanimously, to approve a permit from Berkshire Gas Co. to install new gas service at 290 Fairview Street.

The Board voted, unanimously, to approve a utility cut permit to Mr. Rooter to do a sewer repair at 39 School Street.

The Board received a memo from Susan Kelley, Town Treasurer, asking the Board to approve an agreement between the town and the school for Department of Education Fiscal Year reporting. This is a list of services the town provides in kind to the school. The Board voted, unanimously, to approve the agreement.

The Board voted, unanimously, to approve a temporary sign permit for the Lee High School Football Gridiron Club for a toll stop on Sept. 17, 2009.

4. Pending Business:

A mini-site recycling collection will be held on Sept. 26th from 9 AM to 11:30 AM in the Gt. Barrington Recycling Center.

A public hearing will be held on Sept. 22nd at 7 PM in the Town Hall Courtroom regarding the reconstruction of Tyringham Road.

5. Town Administrator:

Mr. Nason told the Board that Suzanne Scarpa, Town Clerk, has asked that an Acting Town Clerk be appoint to fill in in her absence and that she had recommended Sandra Cozzaglio, who has been assisting her. This person would be paid \$10.00 per hour and would have the authority of the Town Clerk. After discussion, the Board voted, unanimously, to approve the Town Administrator's appointment of Sandra Cozzagilo as Acting Town Clerk in the absence of the Town Clerk.

6. Public Comments:

Peggy Biron, District 2 representative, asked if Laurel Lake Power was receiving an access fee in part to defray the cost of insurance which the town was otherwise providing. The Board explained that the town had added Laurel Lake Power to its liability insurance just as it had previously added Highlawn Farm, which owns Sandy Beach and the rest of the access road to the beach. Just like Highlawn Farm, Laurel Lake Power needs to carry liability insurance above and beyond what is offered by the town's insurance.

Deidre Consolati, Sandy Beach Committee Chairman and District 5 representative, came before the Board to thank everyone who attended the meeting regarding the matter of access to the great pond. She expressed surprise that the \$6,400 for access to the beach was included in the Sandy Beach budget.

7. Motion to adjourn: The Selectmen will hold a special meeting on Tuesday, Sept. 29, 2009 at 5:00 PM. The next regular Selectmen's meeting will be held on Tuesday, Oct. 6, 2009 at 7 PM. The meeting adjourned at 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