

BOARD OF SELECTMEN  
MINUTES OF MEETING – JANUARY 19, 2010

Present: Patricia D. Carlino, Chairman, Gordon D. Bailey, David J. Consolati, Board of Selectmen.  
Robert L. Nason, Town Administrator

Chairman Carlino opened the meeting at 7:00 PM.

1. **Approval of Minutes:** Jan. 5, 2010, Executive Session Jan. 5, 2010, Jan. 8, 2010, Executive Session Jan. 8, 2010, Jan. 12, 2010

2. **Public Hearing:** None

3. **General Business:**

Rich Vinette, Executive Director, Lee Community Development Corp., came before the Board to ask the Board to approve and sign Amendment #1 to the Agreement between the Town, Mass. Development Finance Agency, the Lee CDC and Berkshire Regional Planning Commission to incorporate \$50,000 of federal technical assistance grant scope into the existing state expedited local permitting grant scope for mill reuse evaluations and studies. The Board had previously approved the request for the reallocation of these funds. The Interagency Permitting Board has also approved this. The Board voted, unanimously, to approve Amendment #1 and have the Selectmen's Chairman sign the document.

The Board addressed the decision by a joint board of the Mass. Dept. of Conservation and Recreation and the Office of the Attorney General based on a citizen's petition asking the joint board to find that public necessity requires a right-of-way for public access to Sandy Beach and to petition the Land Court for the registration of an easement. The board found that there exist multiple rights-of way of access to Laurel Lake in addition to Lake Road (to Sandy Beach), the board has concluded that no further action is required.

The Board next addressed the 2010 Sandy Beach Access Agreement. Deidre Consolati came before the Board and went through what the schedule has been at Sandy Beach. She explained that there needs to be access to the beach beginning the first week in May to allow access for vendors, clean-up crews and volunteers who help get the beach ready for the summer season. Then the lifeguards are on duty beginning on the last day of the school year until Labor Day. They are on duty from 10:00 AM until one-half hour after sunset. After the swimming season is over, the beach needs to be open to allow for maintenance crews and vendors to enter to clean up and put everything away until the next season. Ms. Consolati gave the Board documents regarding when the Beach Committee feels the access road should be open and what vendors will use it during the season. The Sandy Beach Committee proposes that the access road be open from May 1<sup>st</sup> until October 31<sup>st</sup>. There will be signs posted regarding the days and hours the lifeguards will be on duty and safety rules when they are not. Chairman Carlino stated that since the Board had just received this information, they will take it under advisement until their next regularly scheduled meeting. Ch. Carlino asked Ms. Consolati to go over the list of vendors and state how often they need access to the beach. Ch. Carlino opened the meeting to public comments and Cornelia Kalisher asked what was being voted on at the annual town meeting. Only the \$6,400 appropriation for this season. Kelly Abdella said she appreciated Selectman Bailey's impartial attitude toward the discussions. Rick Chrisman, Sandy Beach Committee, asked about the number of days the beach would be open and public vehicles not being allowed until Memorial Day. He also asked about the availability of the gate key when vendors need to get in. Mr. Nason said that town employees have early access to the beach. The Board stated that negotiations are still going on between the town and Laurel Lake Power Company. Gail Ceresia asked about the trespass clause in the license. The Board said they will be involved in any problems on the property. Karen Molino thanked the Board for looking at the Beach Committee suggestions. Beverly Trembly, District 5 representative, had concerns about some who cannot walk into the beach. Monica Ryan said that if the past schedule is not continued, 81 days of beach time will be lost. Ch. Carlino asked if there was any more discussion and there was none.

The Board received a memo from Chris Pompei, DPW Supt., showing three bids for a surplus 1989 International Dump Truck. The DPW recommended L.B. Corp., the highest bidder at \$2,310.00. The Board voted, unanimously, to award the surplus truck to L.B. Corp. for \$2,310.00.

The Lee Youth Association submitted four temporary sign permit applications for an event to be held on April 10<sup>th</sup> and April 11<sup>th</sup>. Two of the permits are for signs that will be placed on state property and the town has no jurisdiction over them. The Board voted, unanimously, to approve a temporary sign permit at 480 Pleasant St. and one on the corner of Route 20 and Orchard Street and waive the filing fees. The Board asked their secretary to contact the LYA regarding the signs on state property.

The Board was asked by a concerned citizen to address the hazardous conditions at the crosswalks on Main Street. He has suggested several ways to make them safer. Ch. Carlino asked the Board’s secretary to forward this matter to the Traffic Commission.

4. **Pending Business:** None

5. **Town Administrator:**

Mr. Nason announced that the Special Town Meeting warrant and supplemental information is posted on the town’s website at lee.ma.us and is available in the Selectmen’s office. The meeting will be held on Jan. 28, 2010 at 7 PM at the Zukowski Auditorium at the Lee Middle and High School.

6. **Public Comments:** Beverly Trembly, Dist. 5 representative, asked her constituents to call her with any concerns they may have regarding the town’s acquisition of the Bull’s Eye Pub building on Railroad Street. Selectman Bailey stated that the purchase of this property will open up opportunities for downtown development.

Ch. Carlino read a press release regarding the lawsuit by Thomas Touponce against the Town of Lee allegedly restricting him from developing multiple properties. Mr. Touponce agreed to accept the town’s insurance company’s settlement of \$200,000.00. Mr. Touponce’s original claim for damages was \$1,827,000.00.

7. **Motion to adjourn:** The next regular Selectmen’s meeting will be held on Tuesday, Feb. 2, 2010. The meeting was adjourned at 8:10 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