

Board of Selectmen – Minutes of Meeting

BOARD OF SELECTMEN  
MINUTES OF MEETING – AUGUST 7, 2012

Present: Patricia D. Carlino, Chairman and David J. Consolati, Board of Selectmen, Robert L. Nason, Town Administer.

Absent: Gordon Bailey, Selectman

Chairman, Patricia D. Carlino, called the meeting to order at 7:00 PM.

1. **Approval of Minutes:** The public minutes of June 1, 2012 and July 17, 2012 were unanimously approved.
2. **Public Hearings:** None.
3. **General Business:** Wind Power Feasibility Study Consultant Selection – Thomas Wickham, Chair of the Energy Efficiency Advisory Committee, came before the Board to report that the committee members unanimously recommend The Cadmus Group to conduct the Wind Power Feasibility Study. This decision came, after much discussion and deliberation by the Committee. Upon the receipt of eight responses to the Requests for Proposals they narrowed down the search to five firms, then two. The final two being The Cadmus Group and Boreal. After interviewing The Cadmus Group a second time, the Committee members recommended Cadmus because of their firsthand knowledge of the site and their prior pro bono efforts to assist the town to measure the wind near the proposed site. The Committee decided they did not want to recommend a consultant that was also a developer. The Agreement with Cadmus will be contingent upon the Town of Lee receiving funding for the study from The Massachusetts Clean Energy Center. The Cadmus Group's services include the preparation of the application for that funding from the Commonwealth Wind Incentive Program. The May 10, 2012 Town Meeting approved a \$4,250 appropriation for the local share required for the proposed \$95,750 grant.

Replacement Fire Truck Procurement Schedule – Alan Sparks came before the Board to ask for their approval to put out to bid for a new fire truck to replace fire truck #7 that is 25 years old because it will require a Special Town Meeting. Mr. Nason stated that he spoke with the Moderator and he is free on October 4<sup>th</sup> at 7:00 PM for a special town meeting and subsequently the Board voted unanimously to schedule a Special Town Meeting for that date.

Property & Casualty Insurance Discussion - Town Treasurer, Donna Toomey and Mike Diaz from Wheeler & Taylor, discussed the Property & Casualty Insurance cost and coverage for FY 10 through FY 13. The cost of insurance has increased for FY13. This is due in part to general inflationary costs, increase in building and content values, claims and loss history. In 2011 several of the town's buildings and contents were appraised. Many of the values had to be adjusted because they were not insured to the proper replacement value. This resulted in a \$10,000.000 increase in overall building and contents values. Downstream Dam Liability is currently not being provided and none of the

major providers of municipality coverage in Massachusetts provide this type of coverage for High Hazard Dams. They are currently attempting to secure quotes and initial indications would place the cost of a stand-alone policy at a minimum premium of \$50,000. They will provide further details as they get more information.

FY 2013 School – Town Agreement *The Board voted unanimously to approve the Agreement between the Town and School for the Department of Education's Reporting Requirements, presented to the Board by Town Treasurer, Donna Toomey; and to allow the Chair to sign the Agreement. According to Donna Toomey, the Agreement is the same agreement that has been in effect for the past 10 years.*

57 Main Street Rehabilitation - Elton Ogden, of Berkshire Housing Development Corp. came before the Board to give an update regarding the 57 Main Street Rehabilitation. The Building Permit has been obtained and the plan requires emptying one floor of residents at a time and finalizing the relocation, to which he added that the residents have been very cooperative. The Construction contract is finalized and is ready for signatures. He stated that they will be meeting with abutters next week and will be finalizing the closing documents with a target start date of late August. They have requested permission to construct staging on Main Street, allowing the access to stores to remain, however the full sidewalk will be occupied from September – October. He stated that the timing of the project during the Founder's Weekend is unfortunate but unavoidable. They are also requesting six spaces in the municipal lot for parking of their construction trailers and equipment and will submit the permits next week. Mr. Ogden also requested a waiver of 50% of the building permit fee. *The Board voted unanimously to grant a 50% waiver of the building permit fee.* The Board also suggested that the six parking spaces they use in the municipal lot be located at the Bull's Eye end of the lot.

Founder's Day Weekend, 9/21 – 9/23 Lee and Lenox representatives to The BRTA, Ron Giancola & Scott Laugenour, asked the Board to waive bus fares for travel on the BRTA within and between the towns of Lee and Lenox on Saturday, September 22, which is the overlap day of the respective Founders Day Weekend and Apple Squeeze festivals. They believe that this is a good occasion to promote public transportation for both environmental and economic reasons. The BRTA would track the 'free' rides that were taken and would bill each town for the waived fares. This plan would not change the fare structure for travel to or from beyond the town of Lee and Lenox. *The Board voted unanimously to waive the bus fares for travel on the BRTA within and between the towns of Lee and Lenox on Saturday, September 22, 2012.*

2012 Paving Project Financing - *The Board voted unanimously to approve the Chapter 90 – Project Request for the 2012 Road Paving – Resurface Fairview Street for a total cost, including Ch. 90 of \$745,000*

Solar Power Generation on Town Owned Land – *The Board voted unanimously to allow the Chair to sign the Application for a Municipality or Other Governmental Entity for Net Metering.*

Lee Regional Visiting Nurses Association Agreement for FY 2013 - The Lee Regional Visiting Nurses Association presented to the Board the Annual Agreement with the Town of Lee. The terms of the Agreement are that the Town of Lee agrees to pay the Lee Regional Visiting Nurses

Association, d/b/a Porchlight VNA, the sum of \$22,942.50 for their services for the period from July 1, 2012 through June 30, 2013. *The Board voted unanimously to approve the Agreement with the Lee VNA, d/b/a Porchlight VNA and to allow the Chair to sign the Agreement.*

Council on Aging Formula Grant Application, \$8,090 – *The Board voted unanimously to the approval of the submission of the FY2013 Formula Grant/Allocation and to allow the Chair to sign the application*

Dispatchers Collective Bargaining Agreement, FY 2011 – FY 2013 – *The Board voted unanimously to sign the Town of Lee Dispatchers July 1, 2011- June 30, 2013 Agreement with Teamsters Local No. 404. This Agreement has the same terms with the Teamsters as the DPW, Highway/Cemetery and Water Distribution Worker's Agreement.*

Board, Commission and Committee Openings – Chair, Patricia Carlino announced that there are openings on the following Boards, Commission & Committees: Lee Youth Commission, Board of Assessors, Council on Aging, Cable Advisory Committee, Recycling Committee & the Sandy Beach Committee. Openings will be posted on the Town of Lee website and will be sent to the press. The Board announced that there will be a meeting in the Lee Town Hall courtroom on Thursday, August 16, 2012 at 7:00 PM to discuss the revitalization and reorganization of Lee Youth Commission with Kathy Hall.

Common Victualers License Application for Baja Charlie's Inc., 62 A West Center Street - *The Board voted unanimously to grant a Common Victualer's License to Baja Charlie's, doing business at 62 A, West Center Street (formerly The Grind).*

Temporary Sign Permits – *The Board voted unanimously to grant temporary sign permits to The First Congregational Church (Michelle Bouche) for the First Congregational Church of Lee Craft Fair & Festival in the Park – Saturday, Aug. 4, from 9:00 – 4:00 PM and to the First Congregational Church of Lee (Sam Sorrentino) for the Movies in the Park – July 28<sup>th</sup> – Sept. 1<sup>st</sup>.*

Berkshire Gas Company - Permit to retire gas service – 140 Silver Street. The Board decided to hold this over to the next meeting pending completion of the application in full.

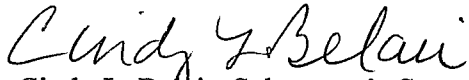
Berkshire Gas Company – *The Board voted unanimously to grant the permit to retire gas service at 103 West Park Street.*

4. **Pending Business:** 2012 Household Hazardous Waste Collection – – The next 2012 Household Hazardous Waste Collection will be held on Saturday, August 18<sup>th</sup> - 9:00 am – 11:00 AM at the Great Barrington Recycling Center.

There will be a public hearing held by the Zoning Board of Appeals on a zoning violation issued to South Lee Associates, LLC, by its representative R.C. Hobbyists, dated June 28, 2012, from Lee Building Commissioner, Donald R. Torrico. The property is located at 501 Pleasant Street as designated as Assessors' Map 31, Lot 5, in the I (Industrial) Zoning District. The public hearing will take place in the Lee Planning Board Office, at Lee Town Hall, 32 Main Street, Lee, MA on Wednesday, August 22, 2012 at 7:00 PM.

5. **Town Administrator:** - Meadow Street Bridge Over Powder Mill Brook – The project engineer, Steve Mack submitted the plans to Mass Highway on June 5, 2012 and received comments back on July 25, 2012. The final approval should be on or about Monday, August 13<sup>th</sup>. At that point we will proceed immediately and put it out to bid. There will be a 30-day bidding process. Mr. Nason commented that the engineer, Foresight and Steve Mack have done a great job.
6. **Public Comments:** Patricia Carlino commented that Holyoke has a policy regarding veteran's benefits to the elderly and disabled similar to the tax work-off program that we implement. She suggested we might collaborate with them and find out what policies they have in place. Mr. Nason suggested that he would contact Doug Mann, our Veteran's Agent and consult with him.
7. **Next Regular Meeting:** The next regular meeting is scheduled for August 21, 2012 at 7:00 PM.
8. **Motion to Adjourn:** *The members voted unanimously to adjourn the meeting at 8:10 PM.*

Respectfully submitted,



Cindy L. Belair, Selectmen's Secretary

Notice of Website Posting Sent to:

Board of Selectmen  
Town Administrator  
Town Clerk  
Town Collector  
Planning Board

Board of Assessors  
Board of Health  
Conservation Commission  
Police Chief  
Building Inspector

Dept. of Public Works  
Town Treasurer  
Town Reps. District Chairmen  
Superintendent of Schools  
Town Accountant