

BOARD OF SELECTMEN
MINUTES OF MEETING – JANUARY 3, 2012

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

Ch. Consolati opened the meeting at 7:00 PM.

1. **Approval of Minutes:** December 20, 2011; Executive Session Dec. 20, 2011, Executive Session Dec. 6, 2011
2. **Public Hearing:** None

3. **General Business:** Thomas Matuszko, Assistant Director, Berkshire Regional Planning Commission, came before the Board to ask for their approval of three grant applications he would like to submit on behalf of the town. The first is the Mass. Downtown Initiative FY12 Technical Assistance Program which would provide a consultant to assess, describe, design and find funding sources for commercial downtown façade improvements. The second is the Community Innovation Challenge Grant to implement an on-line municipal building permit program. The last is the District Local Technical Assistance Program for 2012 that will enable Berkshire Regional Planning Commission to work with the town on downtown economic development planning. In the case of Lee, it would be to look at the development of the west side of the downtown. After a brief discussion, the Board voted, unanimously, to sign the applications for the Mass. Downtown Initiative Technical Assistance program and the District Local Technical Assistance Program for 2012 and authorized the Chairman to sign both. With Selectman Bailey recusing himself, the Board voted, unanimously, to sign the application for the Community Innovation Challenge Grant and authorized the Chairman to sign.

Chair Pompei, DPW Supt., came before the Board to approve and sign an Intermunicipal Agreement with the Town of Lenox to provide sewer to eight residents and three potential building lots on Bramble Lane in Lenox and memorialize the acceptance of sewerage from Lenox Town Beach and two Mill Street properties. Residences on the Lee side of Bramble Lane are not on the sewer line as yet. There was discussion on what to do if any of the septic systems failed. Mr. Pompei said Tri-Town Health Department monitors this very closely. They would have to tie into the sewer line at that point. There being no further discussion, the Board voted, unanimously, to sign the Intermunicipal Agreement.

Mr. Pompei next discussed with the Board a grant funded by the Federal Emergency Management Agency, and administered through the Mass. Emergency Management Agency, in the amount of \$5,064.11 to assist with expenses incurred from Tropical Storm Irene. Mr. Pompei said these funds are for monitoring water levels at the municipal reservoirs, responding to emergency calls by police, fire and ambulance and DPW overtime expenses. Mr. Pompei said reimbursements will be in four installments. Selectman Bailey abstained from voting. The Board voted, unanimously, to sign the Standard Contract Form for this funding and authorized the Chairman to sign.

Deidre Consolati came before the Board to up-date them on the 2011 Sandy Beach season. Ms. Consolati gave a brief history of Sandy Beach. Ms. Consolati stated that the Beach Committee had reviewed the past three years with new owners of property that incorporated the beach access road and felt that they were not cooperating with the Committee and costing the town money. She then read a list of eight items that the Committee felt were not reasonable and impeded the running of the beach. Selectman Carlino applauded Ms. Consolati for the time and effort she had put into the beach but that the new owners, the Scheurer family, own the property and there is nothing the town can do about that. Selectman Carlino said that none of the complaints outlined in Ms. Consolati's statement were brought before the Selectmen. Selectman Carlino stated that the Committee needs to work with the Scheurers. Ch. Consolati said that regarding an issue with the no alcohol policy at the beach, that was instituted by the Police Department. Selectman Bailey said that the police should be called when a lifeguard is busy and there is a problem. Selectman Bailey stated that he felt Ms. Consolati was stirring up trouble by using language that was insulting to the Scheurers. He said he would be willing to work with everyone to get to a resolution. He offered to meet with Ms. Consolati at a future date. Linda Cysz, a beach committee member, said they are trying to work together. Sandy Beach is the only public swimming area. Monica Ryan came forward to state she felt the committee was doing everything it could to accommodate the Scheurers.

The next item was an up-date on the solar power generation project. Mr. Nason presented a new plan of the Stockbridge Road property. All information concerning this project is now on the town's website. Mr. Nason said that there is an on-going discussion with the utility company about purchasing any excess electricity. He also said that stakes will be placed at the Stockbridge Road site tomorrow to show where the solar arrays will be. Concerns from the audience included the amount of sun these panels will receive and who will maintain them. There was also a question about the new athletic fields. Mr.

Nason said there are not enough for the number of teams in town once the fields at the wastewater treatment plant are eliminated. There will be further up-dates at the next Selectmen's meeting.

The Board received a letter from the Traffic Commission asking them to approve the Commission's recommendations for the installation of stop signs at the intersection of Tabor Avenue and Reservoir and the intersection of Rose Avenue and Reservoir Road. The Board voted, unanimously, to approve the stop signs.

4. **Pending Business:** None

5. **Town Administrator:** The Board received a memo from Mr. Nason asking the town to fund \$5,000 to resurface the tennis courts at the Lee Middle and High School. Clare Lahey, Administrator of the Lee Community Tennis Association, came before the Board to explain that the courts have not been repaired in 11 years. Due to budget restraints in surrounding communities, these are the only public tennis courts in the area. The total cost of the repairs is estimated at \$40,000 to \$50,000. Ms. Lahey said that she can raise \$26,000 to \$30,000 from various local, state and national tennis associations. She is asking the town and the school if they can provide \$5,000 each to make up the difference. Mr. Nason said he would go to the Finance Committee and ask for a reserve fund transfer to fund the town's portion. The Board voted, unanimously, to send a letter of support to the Finance Committee for \$5,000 from the reserve fund transfer to use to repair the tennis courts at the Lee Middle and High School provided the Lee Tennis Association gets the remainder of the funds from the sources Ms. Lahey outlined.

Mr. Nason told the Board the revenue and expense reports for FY13 ending December 31, 2011 are now available in their office.

6. **Public Comments:** None

7. **Motion to adjourn:** The next regular Selectmen's meeting will be held on Tuesday, Jan. 17, 2012 at 7:00 PM. The Board voted, unanimously, to go into executive session for the purpose of discussing collective bargaining strategy and not return to public session. Roll call: Carlino, yes; Bailey, yes; Consolati, yes. The meeting adjourned at 9:00 PM in executive session.

Respectfully submitted,

Suzanne M. Alderman, Selectmen's Secretary

cc: 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