

APPROVED ON 10/18/16

Board of Selectmen – Minutes of Meeting

BOARD OF SELECTMEN  
MINUTES OF MEETING – October 4, 2016

Present: Thomas Wickham, Chair, Patricia D. Carlino and David Consolati, Board of Selectmen and Robert Nason, Town Administrator.

The Chair, Thomas Wickham, called the meeting to order at 7:00 PM.

1. **Approval of Minutes:** *The Board members voted unanimously to approve the Public Session Minutes of September 20, 2016.*
2. **Public Hearing:** Continuation of Eversource Pole Permit Hearing – Verizon Representative Steve Klaubert came back before the Board regarding the clarification of the Joint Pole Permit (with Eversource). He stated that the pole that Patty Carlino was questioning about its removal does not belong to them; it belongs to Eversource. *The Board members voted unanimously to grant the Order for a Joint or Identical Pole location due to the Valley Street Bridge Replacement Project.*
3. **General Business:** 2016 Paving Project - Superintendent of Public Works, Chris Pompei, P.E. came before the Board and presented an amendment to the 2016 Paving Project regarding the High and Marble Streets (from the turnpike to West Park Street) curb removal in the amount of \$84,314.00. Our base contract amount was \$387,535 and with the amendment brings the total to \$471,849.00. *The Board members voted unanimously to approve the amendment and authorize the Chair to sign it.* The Board also discussed the West Park Street Crosswalk at the Marble Street Intersection and reviewed the sketch prepared by traffic commission member, Police Chief Roosa. The sketch shows the new location of the sidewalk and the crosswalk of approximately three feet.

Tyringham Road Reconstruction Funding Closeout – Chris presented the Chapter 90 Project Reimbursement Request and Closeout. The construction engineering reimbursement request in the amount of \$7,677.30 and the final report balance of \$9,458.00 *The Board members voted unanimously to approve and sign the reimbursement request and final report.* The Right of Way Appraisal and Acquisitions final report shows a balance of \$14,269.45. *The Board members voted unanimously to approve and sign the final report.*

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Patty asked if Forest Street was on the list for repairs. Chris explained that the Board of Public Works recommends which roads get major repairs. Chris stated that he hopes a grant to reconstruct Forest Street will be awarded. Patty also asked if the crosswalk across from Fairview Street would be addressed and Chris replied that it would. Chris explained that we have a list of crosswalks, line painting, etc. that is addressed periodically. Berkshire Eagle reporter, Dick Lindsay asked if the worst sections of sidewalks on High Street would be repaired and Chris replied that they are working on it now.

Willow Hill Road Solar Net Metering Credit Purchase Agreement - *The Board members voted unanimously to reaffirm approval of the Willow Hill Road Solar, LLC Estoppel Certificate with the revised date of September 29, 2016 which conforms to the developer's tax equity and financing closing.*

October 27<sup>th</sup> Special Town Meeting Warrant - Mr. Nason presented the draft of the Special Town Meeting Warrant with the additions of number four (Middle and High School Boiler Replacement Borrowing Authorization) and number five (Thin-Film Shopping Bag Reduction Bylaw). *The Board members voted unanimously to approve the October 27<sup>th</sup> Special Town Meeting Warrant as presented.*

Interlocal Contract for Cooperative Purchasing - Mr. Nason presented the Interlocal Contract for Cooperative Purchasing from the Houston-Galveston Area Council (H-GAC). He explained that there is no membership fee; however there is a flat fee of \$2,000 for fire apparatus purchases. "H-GAC follows the framework of Texas Municipal Code for competitive bids. Bids are competitively written and publically advertised using multiple forms of media including newspaper and the internet. Bids/proposals are intended to be descriptive and inclusive of manufacturers that provide the best value for our members." (9/20/16 e-mail from H-GAC Specification Specialist William Burton). The Office of the Inspector General states using a contract already procured by in-state or out-of state procurement unit is permitted, provided that the contract is the result of an open and fair competition. H-GAC's reported process meets that standard. *The Board members voted unanimously to approve the contract and authorize the Chair to sign it.*

Sandy Beach Access Road Maintenance Contribution Agreement – Mr. Nason presented an agreement between the Town and Tom and Katie Scheurer for \$2,500.00 to defray the costs to maintain the private access road to Sandy Beach. This amount has been carried over from the FY 2016 Sandy Beach budget surplus. *The Board members voted unanimously to approve 'nunc pro tunc' September 30, 2016 the Agreement.*

Mr. Nason thanked Tom and Katie Scheurer, High Lawn Farm, Laurel Lake Power for the opportunity to once again enjoy Sandy Beach. He also thanked the volunteer members of the Sandy Beach Committee (Deidre Consolati, Monica Ryan, Linda Cysz and Kelly Abdalla) and the beach life guards, maintenance workers and access control officer.

Highway/Cemetery and Water Distribution Employees Collective Bargaining Agreement

Mr. Nason presented the Agreement which is for a term of three years with wages and health insurance for years two and three to be negotiated. The minimum call in time will be the same as the four hour minimum call back time, the meal chit will increase by \$1.00, hourly rates will increase by 1.5% and the Mechanic's rate will increase by \$1.00 per hour. *The Board members voted unanimously to approve the agreement and authorize the Chair to sign it.*

Board of Health Appointment – *The Board members voted unanimously to recommend the appointment of Carisa Vincent to the Board of Health.*

Berkshire Regional Planning Commission – Alternate – The Berkshire Regional Planning Commission is seeking an alternate to the Planning Board's appointment to the Commission. Anyone interested can call the Selectmen's office at 243-5500.

Town of Lee BRTA Representative – The Berkshire Regional Transit Authority is looking for someone to represent the Town of Lee to fill the vacancy left by Ronald Giancola's resignation.

Temporary Sign Permit – *The Board members voted unanimously to grant a Temporary Sign Permit for the Lee Lady Wildcat's Basketball Team for their Road Toll on October 22, 2016.*

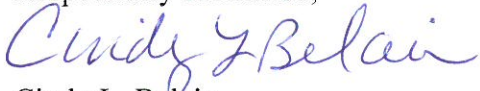
**4. Pending Business:**

- a. ZBA – Special Permit – 40 Consolati Way, Lee, MA in the DCBC (Downtown Commercial Business Corridor) Zoning District – Continued to Wednesday, Oct. 5, 2016 at 7:00 PM.
- b. ZBA – Appeal of a decision rendered on 6/27/16 by the Town of Lee Building Commissioner – poultry raising in an R-20 Zoning District with less than 5 acres – Continued to Wed., Oct. 5, 2016 at 7:30 PM
- c. 2016 Mini-Site Collection – Saturday, Oct. 8<sup>th</sup> – 8:30 AM – 11:00 AM - Great Barrington Recycling Center.
- d. Planning Board – Public Hearing on the application of Pittsfield Cellular Telephone Company d/b/a Verizon Wireless for the approval of a Special Permit under Section 199-9.7 of the Town of Lee Zoning Bylaw for the addition of eight (8) antenna panels, six (6) remote radio heads and related equipment on an existing watertank – to be held on Monday, October 17, 2016 at 6:15 PM.
- e. Early Voting Announcement
- f. MA Turnpike toll Plaza Demolition & Roadway Reconstruction Project – Public Information Meeting – Tuesday, October 11<sup>th</sup> – Lenox District 1 Highway Office, 270 Main Street, Lenox, MA.

**5. Town Administrator:**

- a. Mr. Nason reported that the FY 2017 Revenue and Expenditure Reports through September 30, 2016 are on the Selectmen's worktable for their review.
  - b. Mr. Nason announced that our Assessor's Clerk, Sarah Navin, was awarded "The Lucille Bayes Clerk of the Year Award – FY 2017 " by the Massachusetts Association of Assessing Officers. Congratulations, Sarah!
6. **Public Comments:** None.
7. **Next Regular Meeting:** Our next regular meeting will be on Tuesday, October 18, 2016 at 7:00 PM.
8. **Motion to Adjourn:** *The Board members voted unanimously to adjourn the meeting at 7:55 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