

APPROVED ON 1/3/17

Board of Selectmen – Minutes of Meeting

BOARD OF SELECTMEN
MINUTES OF MEETING – December 6, 2016

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

Chairman, 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 November 15, 2016.*
2. **Public Hearing:** None.
3. **General Business:** Housatonic River Cleanup - Nat Karns, Executive Director of Berkshire Regional Planning Commission came before the Board to discuss the ongoing Housatonic River Cleanup. The towns of Lee, Lenox, Stockbridge, Great Barrington and Sheffield propose to enter into a successor Intergovernmental Agreement. He explained that this is a complex and ongoing process. Mr. Karns presented the Rest of River Intergovernmental Agreement for the town of Lenox, Lee, Stockbridge, Great Barrington and Sheffield and urged the Select Board members to sign. The Board's representative, Patty Carlino encouraged the Board to sign. *The Board members voted unanimously to accept the agreement as presented and to authorize the Chair to sign the agreement.*

Recycling Committee - Peter Hofman came before the Board to propose their name change to Lee Greener Gateway Committee. *The Board members voted unanimously to accept the name change along with their new mission statement.*

Trench Backfill and Pavement Repair Standard – Superintendent of Public Works, Chris Pomp, P.E., crafted the language for a new Trench Backfill and Pavement Repair Standard which changes the pavement patch to be done thirty (30) days after the patch is settled. David Consolati stated that this keeps the patches in place a bit longer. *The Board members voted unanimously to accept the new language for the Trench Backfill and Pavement Repair Standard.*

Medical Marijuana Dispensary Discussion - Don Hunter, Attorney for Mass Alternative Care, LLC came before the Board to ask that they revise their memo to the state regarding changing the location of the proposed facility from Lots 6 and 7 to Lot 2 within

the Quarry Hill Park. The change is necessitated by the proximity of Lots 6 and 7 to Lot 9 which is conducts rehabilitation programs for autistic children in addition to serving individuals with other disabilities ages 16 and above. As presented, the application will not be approved for a facility on Lots 6 and 7. Attorney Hunter is requesting that the letter by the Town be re-issued for Lot 9 under the same terms and conditions as the original letter. *Board members Thomas Wickham and Patty Carlino voted favorably to reissue the letter for Lot 9 under the same terms and conditions and Board member David Carlino voted nay as he did the original letter.*

Administrative Shared Services - Mr. Nason reported that there was a meeting in Lenox last week and the Administrative Review Committee has endorsed the idea of sharing a CAO. We have an implementation plan from DOR DLS and the towns have tweaked it to fit their needs. A CAO and a Human Resource person will be hired to be shared with all three towns. A three year trial interim agreement will be implemented which will be review annually and at the end of three years any of the town will have the option to opt out. David Consolati stated that though he had reservations, he is willing to move forward. Tom Wickham said he liked the idea of going to a town meeting to get approval and is especially approving of the need for a Human Resources person. Patty stated that the reps will vote for appropriation, but the Intermunicipal Agreement does not have to be approved at town meeting to go forward. There is also a start-up grant available and the application for that needs to be in by the end of January. The will be an informational discussion and forum on January 10th and information regarding this public forum will be posted on our town website.

2017 Liquor License Renewals

The Board members voted unanimously to grant the liquor license renewals, along with the Common Victualers, Entertainment, Innholder's and Amusement Devises Licenses that are attached to said licenses, all as read from the 2017 Liquor License Renewals List and attached as part of these minutes.

4. Pending Business:

- a. ZBA – Public hearing on the application of George & Noha Noujaim for a variance from the Town of Lee Zoning Bylaws. Petitioner seeks a variance from the intensity regulations of the zoning bylaws in order to construct a second means of egress with the required side yard setback.

5. Town Administrator:

- a. Personnel: - Mr. Nason announced that we will add Denene Pelkey as a shared Clerk position to our Building Department a shared Clerk position. Denene will be here 4 days a week.

We have received only one candidate for the winter truck driver position and will wait until the end of the week to see if we get more applicants.

We are still looking for a full time custodian/EMT to fill the position.

Bob stated that we will be meeting with the four chiefs on Thursday to go over the 17 applications received to fill the position of Full Time Fire Chief/Ambulance Service Director.

- b. Finance: Mr. Nason announced the General and Enterprise Accounts Certified Fund Balances as of July 1, 2016. The General Fund is \$1,434,125.00 / The Enterprise Fund/Sewer is \$1,550,390.00 / The Enterprise Fund/Water is \$276,388.00. Mr. Nason extended a "thank you" to our Accountant, Lynn Browne as we are 2 months ahead of last year's schedule.

Mr. Nason also announced that the FY 2016 Audit fieldwork is underway by Adelson & Company, P.C.

The FY 2017 Revenue and Expense Reports for the period ended November 20, 2016 are available on the Selectmen's Worktable.

- 6. **Public Comments:** None. The Board members extended their condolences to the Kelly family for the loss of Dennis' son.
- 7. **Next Regular Meeting** The next regular meeting will be Tuesday, December 20, 2016 at 7:00 PM.
- 8. **Motion to Adjourn:** *At 7:50 PM, the Board members, by roll call, voted unanimously to adjourn to Executive Session to discuss collective bargaining strategy, because deliberating in open session may have a detrimental effect on the Town's bargaining position.*

The Chair announced that the members will not be returning to open session.

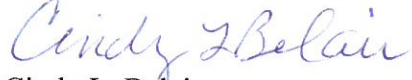
AYE

NAY

Patricia Carlino
David Consolati
Thomas Wickham

None

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

Approved at Selectmen's Meeting – 12/6/16

Liquor Licenses with Common Victualer License:

Alpamayo Restaurant
Athena's Pizza House
Bucky's Tavern, Inc.
Federal House Inn
Pho Saigon
Timothy's Restaurant
Moe's Tavern
The 102 Tavern
Sullivan Station
Morgan House Inn & Restaurant

51 Park
The Lake House Inn
Chez Nous
Locker Room Sports Bar
Salmon Run Fish House
StarvingArtist
Fiddleheads Grille
Baja Charlie's
Oak N' Spruce Resort
Cork 'N Hearth

Liquor Licenses without Common Victualer License:

Berkshire Liquors
Lee Package Store
East Lee Package Store
Daily Stop (d/b/a Rt. 102 Package)

Convenience Plus
Lee Citgo
Sandri Stop Smart

Entertainment Licenses – Annual:

51 Park
Bucky's Tavern
Baja Charlies
Oak N'Spruce Resort
Starving Artist
Timothy's

The Lake House Inn
Locker Room Sports Bar
Sullivan Station
Morgan House Inn & Restaurant
Cork 'N Hearth
Fiddleheads Grille

Innholder's Licenses - Annual:

Federal House Inn
Morgan House Inn & Restaurant

Oak N' Spruce Resort
The Lake House Inn

Amusement Devices – Annual:

Bucky's Tavern
Oak N' Spruce Resort

The 102 Tavern