

Board of Selectmen – Minutes of Meeting

BOARD OF SELECTMEN
MINUTES OF MEETING – FEBRUARY 5, 2013

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

Selectman, Gordon Bailey, called the meeting to order at 7:00 PM.

1. **Approval of Minutes:** As Mr. Nason and members of the Board had not had the chance to review the public minutes of January 22, 2013, the approval was set aside until the next Selectmen meeting on February 19, 2013.
2. **Public Hearings:** None.
3. **General Business:** One Day Beer & Wine License – Lee Chamber of Commerce - *The Board voted unanimously to grant to The Chamber of Commerce a One Day Beer & Wine License for Wednesday, February 20-, 1013 from 4:00 PM – 8:00 PM to be held at the Good Purpose Gallery on Main Street for the purpose of Tri-Town Networking and to allow the Clerk to sign.* Danielle Mullen from the Chamber came before the Board to state that the event is scheduled during Cabin Fever and is open to the public to boost attendance for a tri-town mixer.

Energy Efficiency Advisory Committee Update - Thomas Wickham, Chair of the Committee came before the Board to update the Board and the public where things stand. Tom stated that the Committee has been working extensively and Senator Downing and State Representative, Smitty Pignatelli, have been very helpful with the interconnection to WMECO. Tom reported that Assessor Dayton Delorme, Mr. Nason and he planned to attend a Department of Revenue Valuation Workshop for Solar PV Projects on February 27th in order to understand how solar arrays on municipal land should be taxed.

Tyringham Road Improvements Project Construction and Drainage Easement - *Commonwealth of Massachusetts Department of Fish and Game, Division of Fisheries and Wildlife License Agreement* - The Board reviewed the license agreement that the Commonwealth of Massachusetts Department of Fish and Game had proposed in lieu of temporary construction easements (3) during the two year period beginning July 1, 2013 and ending June 30, 2015. *The Board members voted to approve the license and authorized the Chair to sign the License Agreement.*

Appraiser Selection – Recalling that all but one of the 23 private land owners abutting Tyringham Road had donated permanent drainage and/or temporary construction easements required for the reconstruction project, Mr. Nason reported that three appraisers had submitted proposals to appraise the loss of value to the holdout owner's properties should the town acquire the easements. To insure that the property owner would be offered a fair price, he recommended that two appraisals and a review appraisal be authorized; and, he proposed that the review appraiser be selected in consultation with Town Counsel from among the appraisers who responded. *The Board members voted to authorize two appraisals and a review appraisal, each for an amount not to exceed \$6,000; and, to authorize the Chair to sign the agreements.*

Additional Engineering Services for Meadow Street Bridge Repair - *Gill Engineering Professional Engineering Services Agreement, Amendment No. 1* - The members reviewed Gill Engineering Vic

President Paul Moyer's February 1, 2013 request that the firm's contract be amended to include additional boring costs. The agreement budgeted \$5,750 for drilling two exploratory soil borings. Due to soil conditions, the borings were over 80 feet resulting in a cost of \$9,324.70. *The Board members vote to approve the additional services and to authorize the Chair to sign an amendment increasing Gill Engineering's fee by \$3,574.70 to \$119,334.70*

Chapter 90 Project Approval Request, \$3,574.70

Mr. Nason proposed that Chapter 90 funds (state aid for local transportation) earmarked for bridge repairs be used to pay the additional soil boring expense. *The members voted to authorize a \$3,574.70 supplemental Project Request for MassDOT (Department of Transportation) approval.*

Library Air Conditioner Replacement Project Revised Payment Bond Adjustment - LePrevost Plumbing & Heating presented their price adjustment of \$1,263.00 for the required payment bond. The amount will increase the bid from \$44,100 to \$45,363., which still places them as the lowest bidder. *The Board voted unanimously to approve an amendment increasing the LePrevost Plumbing & Heating contract price by \$1,263.00 for a total amount of \$45,363.00 and to authorize the Chair to sign the amendment.*

Owner's Agent Technical Assistance Grant Application - Mr. Nason presented the Board with a Joint Application with Lenox for \$8,500.00 to extend the services of Beth Greenblatt/Beacon Integrated Solutions, owner agent for both towns' solar power generation projects on town owned sites. *The Board voted unanimously to approve the grant application and authorize the Chair to sign the Application, nunc pro tunc, as the Chair had already signed on February 3rd because of the grant deadline.*

One Day Beer & Wine License – Lee Sportsmen's Club - *The Board voted unanimously to grant a one-day beer & wine license to the Lee Sportsmen's Club for an Ice Fishing Fundraiser on Sunday, February 10, 2013 from 3:00 PM – 9:00 PM.*

One Day Beer & Wine License – Lee Sportsmen's Club - *The Board voted unanimously to grant a one-day beer & wine license to the Lee Sportsmen's Club for a St. Patrick's Day Fundraiser on Sunday, March 17, 2013 from 4:00 PM – 11:00 PM.*

2013 License Renewal - *The Board voted unanimously to grant a Limousine/Taxi License to Abbott's Limousine & Livery Service.*

Sustainable Materials Recovery Program Municipal Grant - \$750 – The grant application for home composting bins needed to be signed and returned by February 1st. *The Board voted unanimously to accept the grant and authorize the Chair to sign the grant agreement, nunc pro tunc.*

Friendly's Restaurant – Temporary Sign Permits (3) – *The Board voted unanimously to grant three (3) consecutive ten-day temporary sign permits to the Friendly's Restaurant, to be done within the next 45 days. This has been signed off by Don Torriço, Building Inspector.*

4. **Pending Business:** None
5. **Town Administrator:** - Mr. Nason announced that the FY 2013 Revenue and Expense Reports through January 31, 2013 are on the Select Board's work table for their review.

Mr. Nason also commented that the field work has been completed by the auditors.

6. **Public Comments:** Monica Ryan came before the Board to comment that at the last Energy Efficiency Advisory Committee she understood that there would be more panels on the Stockbridge

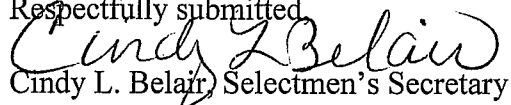
Road site and less on the Waste Water Treatment Plant site. She wanted to know if that was correct and was informed that it was. She was also concerned about the transformer on the property. It is currently owned by WMECO but if it was turned over to the Town, the Town would assume the liability.

Monica also expressed her frustration about the Energy Efficiency Advisory Committee 2011 minutes that the Attorney General ordered to be done. She expressed that she is very frustrated as she has requested extra copies of materials that are presented to the members at meetings. Gordon Bailey stated that she is at an open meeting as a witness to the committee during their meeting. Regarding copies that have been waiting for Monica to pick up for over 2 weeks, Mr. Nason stated that the documents are now on the town's website.

Monica expressed that regarding the Board of Public Works she would like complete restoration of rights and powers of the Board.

7. **Next Regular Meeting:** The next regular meeting will be February 19, 2013 at 7:00 PM in the Courtroom. This date was erroneously written as February 22, 2013 in the Agenda Posting).
8. **Motion to Adjourn:** *The Board voted unanimously to adjourn the meeting at 7:45 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