

APPROVED ON 6/3/14

Board of Selectmen – Minutes of Meeting

BOARD OF SELECTMEN
MINUTES OF MEETING – May 20, 2014

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

Acting Chairman, David Consolati, called the meeting to order at 7:00 PM. The first order of business was to reorganize the Board. Upon motion duly made and seconded the Board members voted unanimously to appoint, David J. Consolati as Chairman and Thomas J. Wickham, as Clerk.

1. **Approval of Minutes:** *The Board members (Tom Wickham abstained from this discussion and vote) voted unanimously to approve the Public Minutes of May 6, 2014.*
2. **Public Hearing:** None.
3. **General Business:** 2014 Road Paving Project Contract Award - Superintendent of Public Works, Chris Pompei, P.E. came before the Board with the paving recommendation. Chris stated that the paving bids were opened on Friday, May 16th and the recommendation is to award this contract to LB Corp., whose bid of \$516,117.00 was the lowest of three bids received. David Consolati asked why this price was higher than the first round of bidding and Chris responded that the bid form was tweaked. Chris informed the Board that LB is all set to start; possibly in two weeks. The FY 2014 (\$200,000) and FY 2015 (\$41,117.10) appropriations totaling \$241,117.10 and \$275,000.00 of the FY 2014 Chapter 90 apportionment will fund this \$516,117.10 project. Bill Navin asked how long the project would take, Chris responded approximately six weeks. *The Board members voted unanimously to award the 2014 Road Paving Project Contract to LP Corp. in the amount of \$516,117.10.*

Winter Rapid Road Recovery Program Project Request - Chris Pompei came before the Board with the Project Request for the Winter Rapid Road Recovery Program 2014, which included the purchase of a roller & trailer, filling potholes, the repair of assorted storm grates and various roads and, if there are still funds available, the crack sealing of various roads. When asked which roads will be taken care of, Chris stated Marble Street, High Street, Greylock Street. David Consolati asked where the new equipment would be stored and Chris responded in the highway garage. David also asked what he would do with the old roller. Chris said that he recommends selling it "as is" "where is". Tom Wickham asked if the roller comes with a warranty and Chris responded that it comes with a 1st year warranty. *The Board members voted unanimously to sign off on the Winter Rapid Recovery Program-2014.*

Tax Increment Finance (TIF) Agreement with Berkshire Sterile Manufacturing – Rich Vinette came before the Board to discuss the Resolution to accept the TIF, the subject of a warrant article that was

approved at the May 8, 2014 Annual Town Meeting. The Agreement is between the Town of Lee and Berkshire Sterile Manufacturing (BSM) for a fifteen (15) year TIP beginning FY 2016 and ending FY 2030. The tax discount is only on the amount of the incremental financial investment of the added value of \$1,700,000.00. BSM will create approximately 60 jobs over the first 5 years. Rich Vinette introduced project manager Shaun Kinney to the Board members to answer any questions they may have. Patty Carlino asked if he would be using local workforce from within Berkshire County, to which Mr. Kinney stated that he had spoken with local colleges, etc to implement training programs for his business. They would prefer to hire locally, but may have to recruit some people from out of the area with specific training. Patty asked if he would be checking with the local high schools regarding specific educational programs that could be set up and Mr. Kinney stated that he had done just that with another facility in Burlington, MA. They also offer tuition for employees to go back to further their education. Tom Wickham stated that this sounds like it will be great for the town and wanted to know if he would be taking bids from local contractors. Mr. Kinney state that he would where he can. David Consolati asked if he would be willing to participate with the business leaders to speak with the school system and Mr. Kinney stated he would. Mr. Kinney announced that they plan to start the close of the financing in late June and commended the people of the Town, Rich Vinette, John Toole and David Bruce for facilitating this project.

Bill Navin commented on the TIF being for 15 years. Tom stated that BSM would be taxed on the current value of the building. David said "we are not losing anything and it helps the area. Patty stated that we have to put our faith in our assessors and Lee Community Development Corp. People look at their recommendations. David asked "when is the last time we heard about 60 jobs?" *The Board members voted unanimously to sign the Resolution which authorizes them to move forward with the TIF Agreement.*

Eric Spiritas, President of Niagara Worldwide - Roger Scheurer came before the Board to introduce Eric Spiritas, President of Niagara Worldwide, which is purchasing the Columbia, Greylock and Niagara, all Schwietzer Mauduit mills. Mr. Spiritas announced that they would be closing on Schwietzer soon. He stated that there is a federally granted job training program to train all employees. He commented that they will be using local contractors. Patty suggested he leave his contact information with Bob Nason. Mr. Spiritas commented that if anyone has any questions, he welcomes a phone call.

Ford Police Interceptor Sedan Purchase – A quote for a Ford Police Interceptor Sedan was received by Chief Roosa and brought before the Board for approval. The quote from MHQ in the amount of \$29,759.00 was presented to the Board. This purchase was approved at the May 8, 2014 Annual Town Meeting. This will be the fifth police vehicle as we are not trading in a vehicle. *The Board members voted unanimously to approve the purchase of the Ford Police Interceptor Sedan from MHQ in the amount of \$29,759.00.*

Noise Complaint – 264 Main Street - Michael Sorrentino, owner and landlord of 264 Main Street, along with a number of tenants, came before the Board to discuss the Shop & Acoustic Café, owned by Michael Sayers, which opened on the ground floor of the building. According to the Site Plan Review of March 10, 2014, the business was to operate a guitar shop/coffee shop in a DCBC zoning district, an allowed use. Mr. Sorrentino stated that the blaring of loud music sounded through the whole building and he wants to go on record to file a complaint. He also stated that he heard of Mr.

Sayers intent to open tomorrow from 10:00 AM to 10:00 PM. Patty stated that the Select Board hasn't issued any permits and Mr. Nason stated that he also would need an entertainment license. One of the tenants, Mr. Domenic Avellino, stated that on Wed., May 14th, the café was extremely loud and the floors and walls were shaking, so he called the police in. Another tenant, Linda Moran, also joined in on the complaint and a letter from yet another tenant, James Stanton, complaining about the noise was read into the record. Mr. Avellino also stated that there is no indication of any sale of guitars, only signs for bands playing. Another tenant, Linda Moran stated that the music was so loud, "you couldn't hear yourself think."

David Consolati stated that the Board will work on this problem as soon as possible and take the necessary steps to insure the residents' right to quiet enjoyment.

Council on Aging Transportation Service for Seniors - Abbotts Limousine & Livery Service submitted the only bid for the Transportation Service for Seniors in the amount of \$14,400.00. This bid includes local services from 8:30 AM – 2:00 PM on Tuesdays and Thursdays weekly. This is the same amount as last year's bid. *The Board members voted unanimously to award the Transportation Service for Seniors to Abbotts Limousine & Livery Service, Inc., in the amount of \$14,400.00 annually.*

Temporary Sign Permit – Jacob's Pillow – (revisit from last meeting) - *After reviewing the sign by-laws regarding non-profits, the Board members voted unanimously to grant a temporary sign permit to Jacob's Pillow for the period of June 1st through August 31st, 2014 and to waive all fees.*

Temporary Sign Permit – Peter Bluhm – Park Place/Farmers Market - (re-visit from last meeting) - *After reviewing the sign by-laws regarding non-profits, the Board members voted unanimously to grant a temporary sign permit to the First Congregational Church d/b/a Lee Farmers Market for the period of June 5th through September 25th, 2014 and to waive all fees.*

Entertainment License Application – St. Mary's School (change of date) - *The Board members voted unanimously to change the date of an Entertainment License granted to St. Mary's School for the 80's Parent's Dance from Saturday May 31st to Saturday, June 14th from 6:00 PM – 10:00 PM.*

One Day Beer & Wine License – St. Mary's School (change of date) - *The Board members voted unanimously to change the date of a One Day Beer & Wine License granted to St. Mary's School for the 80's Parent's Dance from Saturday May 31st to Saturday, June 14th from 6:00 PM – 10:00 PM.*

Berkshire Gas Permit – Install New Gas Service – 196 High Street - *The Board members voted unanimously to grant a permit to Berkshire Gas to install new gas service at 196 High Street.*

4. **Pending Business:** a) Spring 2014 Mini-Site Collection – Saturday, May 31, 2014 from 9:00 AM – 11:00 AM at the Lenox Dept. of Public Works.

b) WMECO – transmission line upgrade – Chair, David Consolati read an e-mail received from Marcia E. Wellman, NU Transmission Project Outreach as follows: "WMECO will be upgrading an existing transmission line in Lee, intermittently, from early June until February of 2015. The work will entail rebuilding existing structures and replacing the existing 115-kV wire with more robust

115-kV wire. The existing right-of-way enters from Becket and crosses Beaver Dam Road, Chestnut Road, Mass Pike and then turns southwest and heads across Chapel Road, Tyringham and then enters the Pleasant Substation located on Pleasant Street. Letters notifying all abutting property owners are under development. If you have any questions please feel free to contact me at 860-728-4547.

5. **Town Administrator:** Seasonal Public Works Employee Appointments – Chris Pompei came before the Board to recommend employees. Before the names were read, David Consolati asked that they only take the first three candidates named for the first vote as he would need to recuse himself from the discussion and vote on the fourth candidate. *At the recommendation of Chris Pompei, Mr. Nason appointed and the Select Board members approved, Water Distribution Aide – Matt Kelley / Cemetery Groundskeeper – Shane LaGrant / Highway Groundskeeper – Lucas Withers. Further, at the recommendation of Chris Pompei, Mr. Nason appointed and the Select Board members, except Mr. Consolati who abstained, approved Wastewater Groundskeeper -Evan Consolati.*

Annual Reappointments – Having noted that he inadvertently overlooked the following annual appointments last spring, Mr. Nason presented to the Board his recommendations of those appointees whose terms are limited to one year; namely, Veterans' Agent, Sealer of Weights and Measures and Animal Control Officer. *The Board members voted unanimously to approve the appointments of Doug Mann as Veterans' Agent, Gerry Cahalan as Sealer of Weights and Measures and Michael Sullivan as the Animal Control Officer, retrospective to April 1, 2013 and April 12, 2014.*

6. **Public Comments:** Peg Biron came before the Board and stated that she had three things to comment about. First, she congratulated Tom Wickham on being elected Selectmen to succeed Gordon Bailey. Secondly, she commented on the Town Report and suggested more intense proofing of the content of the report. Bob stated that the company we use to print the report has an antiquated system and re-types everything submitted to them. So even though we proof and re-proof the errors don't always get changed as noted. He also stated that we are looking into other companies for next year's report. Lastly, Peg wanted to make sure that the Library conversion to gas heat is done timely so that there will be no issues. Bob commented that in speaking with LePrevost Plumbing, a potential installer, that it should only take a couple of weeks to get the equipment and a couple of weeks to install it. Peg thanked Bob and stated she was glad that we were taking care of the issues with the Town Report.

Bill Navin came before the Board to discuss appropriation of funds to roadways and Lenox being able to appropriate so much more due to Meal and Room Tax

Tom Wickham thanked the voters of the Town of Lee.

7. **Next Regular Meeting:** Our next regular meeting will be June 3, 2014 at 7:00 PM in the Courtroom.

David Consolati reminded everyone of the Memorial Day Parade on Monday, May 26 at 10:00 AM and invited everyone to come and enjoy.

8. **Motion to Adjourn:** *The Board members voted unanimously to adjourn the public session of the meeting at 8:09 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