

APPROVED ON 8/20/13

Board of Selectmen – Minutes of Meeting

BOARD OF SELECTMEN
MINUTES OF MEETING – AUGUST 6, 2013

Present: Gordon D. Bailey, Chairman, Patricia D. Carlino, Board of Selectmen & Robert Nason, Town Administrator.

Absent: David Consolati

The Chair, Gordon D. Bailey called the meeting to order at 7:00 PM.

1. **Approval of Minutes:** The Board members voted unanimously to approve the Public and the Executive Session Minutes of the July 16, 2013 meeting.
2. **Public Hearings:** None.
3. **General Business:** Application for Street or Sidewalk Blocking - Gary Silkey, owner of G.S. Company came before the Board with an application for street or sidewalk blocking for 54-58 Main Street, on August 19, 2013 to replace 8 second floor windows. He stated that the project should take approximately 4 hours. *The Board members voted unanimously to grant the Application for Street or Sidewalk Blocking.*

Solarize Lee Update – Roger Scheurer came before the Board to update everyone on Solarize Lee. He stated that Lee has reached the Tier 5 level with 23 contracts and many more contracts outstanding. The Town will achieve the lowest cost, an 8% savings over the initial cost.

Tyringham Road Improvements Project - Additional Designer Services – Superintendent of Public Works, Chris Pompei, P.E., came before the Board with Attachment 1, Amendment No. 7 – Design Services Additional Work for the reconstruction of Tyringham Road, Lee, MA. The additional services stemmed from an unanticipated, last minute expense to design out six temporary drainage easements. The cost to Fuss & O'Neill for the design services is a lump sum fee of \$7,800.00, which includes the sub consultant cost. *The Board members voted unanimously to approve Amendment No. 7 in an amount not to exceed \$7,800.00 and to authorize the Chair to sign it.*

Revised Appraisal Services - Bob Nason presented the fees for the appraisals that were revised due to design changes. *The Board members voted unanimously to approve the \$1,500.00 additional fee*

for Crowley and Associates' revised appraisals and to approve the \$950.00 additional fee for O'Connor Real Estate Associates' revised review appraisals.

Tyringham Road Water Main Replacement Project

Construction Contract Award - Foresight Land Services Principal Engineer, Steve Mack, P.E. came before the Board to recommend the lowest of seven bids in the amount of \$176,315.00, from Caracus Construction Corp. *The Board members voted unanimously to award the work to Caracus Construction Corp., and to authorize the Chair to sign the agreement.* Bill Navin asked how much was appropriated for this project and Mr. Nason stated that a \$300,000.00 borrowing was authorized at the May 9, 2013 Annual Town Meeting.

Project Engineer Construction Services - Chris Pompei recommended that Foresight Land Services be retained to provide construction services. *The Board members voted unanimously to approve a fee increase not to exceed \$15,400.00 for the construction services as presented in the Project Engineer's July 25, 2013 proposal and to authorize the Chair to sign Amendment No. 1 to record this change in scope and fee.*

Regarding the South Lee water tank, Chris Pompei stated that he will get back to us on that when he receives the data.

The members of the Select Board, at the suggestion of Chairman, Gordon Bailey, and with the concurrence of members David Consolati and Patricia Carlino, intend to invite representatives of town Boards, Commission and Committees to Select Board meetings to increase awareness of their work on behalf of the community. The representative will be provided an opportunity to explain what the Board/Commission/Committee does, when and where they meet, the challenges they face, the goals they are pursuing and any other information that will heighten community awareness of their activities.

The first of these presentations is the Historical Commission, by its Chair, Mary Morrissey, as follows:

Historical Commission - Mary Morrissey, Chair of the Historical Commission came before the Board to explain the duties, what is being done and the challenges of the Commission. She explained that they conduct open meetings on the 2nd Tuesday of September, November, January, March and May at 7:00 PM in the former courtroom within Memorial (Town) Hall. The Commission was accepted by Massachusetts in 1989 and members of the Historical Commission are appointed by the Select Board. The current members are Robert Dupont, Dee Dee Fraser, Robert MacIntosh (co-chair) Susan Stone, Caroline Young, JoAnn Zarnock, and Mary Morrissey (co-chair). At this time they do not need any new members as they are at the maximum number seven of members, per MGL Chapter 40, Section 8D, though they encourage anyone who is interested in what they do to attend the open meetings.

She stated that at this time there are over 300 buildings and homes listed on the historical register. Gordon Bailey asked if there were certain criteria to be on the register. Mary replied that it often involves the people who lived there, perhaps the oldest frame house, the architecture and/or age, etc.

of a property. They have houses/buildings listed on the register on lower Main Street from the Consolati block to the alley, from the Library to the Park and a historic district in South Lee. There is a book of registered homes/buildings behind the desk at the Lee Library if anyone is interested in looking at it. She informed the Board that the Historical Commission is also working with the Planning Board on the new sign by-laws. They have worked with contractors on the McManmon building, the alleyway behind the building and the preservation of local marble in the alleyway. She co-authored "Walking Tour of the Town" and the commission is responsible for the plaque program on homes in town.

Mary stated that the challenges of the Historical Commission are: 1) keeping the history alive, through families, teachers, etc. 2) keeping the signage in balance between municipal and the community 3) getting people to volunteer 4) keeping taxes in check so that people can maintain their properties and 5) keeping the inventory up to date.

In conclusion, the Historical Commission will continue to work with the Selectmen and Boards for the preservation of historical resources.

Agreement for Paramedic Intercept Services – Mr. Nason presented to the Board members the Backup Service Provider Agreement for FY 2014 with County Ambulance for the amount of \$245.00 per incident which is the same price as FY 2013. *The Board members voted unanimously to approve the proposed agreement and to authorize the Chair to sign it.*

Berkshire Brownfields Program - Mr. Nason presented to the Board members the Berkshire Brownfields Program FY 14 Scope of Work. At the request of Berkshire Regional Planning Commission (BRPC), the May 9, 2013 Annual Town Meeting appropriated \$4,000 to offset the commission's unreimbursed costs to administer its Brownfields Program which is otherwise funded by the U.S. Environmental Protection Agency. Three sites in the Town of Lee have benefits from the program: a Phase I Assessment at the Eagle Mill, a Hazardous Building Materials Survey of the former Bull's Eye Pub and Phase I & II Assessments of 25 School Street. The 25 School Street assessments led to our receipt of an EPA cleanup grant and a contingency fund commitment from BRPC. We anticipate ongoing efforts to reuse the closed paper mills which will benefit from the program. Pittsfield and North Adams have also contributed and Adams, Dalton and Great Barrington are considering BRPC's request for assistance. *The Board members voted unanimously to approve the agreement with BRPC and to authorize the Chair to sign it.*

Special Phone Equipment Program – The following memo from the Chief was read by Gordon Bailey: As part of our Regional 911 Dispatch Center, our residents are eligible for specialized telephone equipment under the Massachusetts Equipment Distribution Program. This program can provide specialized equipment such as phones with flashing lights, louder ringtones and amplification features. Other phones come with large buttons and high quality speakers for the hearing impaired. There is a wide selection of telephones available for residents with hearing impairments, blind or low vision issues, cognitive or a physical disability. For residents with an income of less than \$50,000.00 and an application signed by their doctor, the specialized phones and accessories are free. There is no charge for installation. For more information, contact Chief Buffis at 413-243-5530 or MASSEDP at 1-800-300-5658.

One Day Beer & Wine License – Clare Lahey came before the Board on behalf of Sabrina Tan & Chen Lee for the issuance of a One Day Beer & Wine License for the special event hosted by Lee Community Tennis Association, Inc.'s ribbon cutting ceremony for Lee MS/MH Tennis. The event is scheduled for Sunday, August 25, 2013 at 4:30 PM across the street from the Tan/Lee home. Wine & Beer will not be available until after the ribbon cutting from 5:00 PM – 7:00 PM and only in the yard of their private home. As Tan and Lee, owners of Flavours in Pittsfield, will donate all the food for the fundraiser, they are asking for a \$25.00 donation per person to attend. Because of the ribbon cutting in one place and the actual event taking place across the street from the ribbon cutting, the Board members voiced concerns about alcohol being transported from one area to another and for pedestrians crossing the street. The Board also asked that an insurance binder be in place for the event. Clare Lahey assured the Board that alcohol would be contained at the residence of Tan/Lee and noting the Board's concerns about pedestrians crossing the street reassured the Board that they would notify Chief Buffis of the event and at his recommendation of a detail would do so. She also agreed to have insurance for the event. *The Board members voted unanimously to grant the One Day Beer & Wine License to Clare Lahey on behalf of Sabrina Tan and Chen Lee for the Lee Community Tennis Association's Inc.'s fundraising and ribbon cutting ceremony on August 25, 2013 from 5:00 PM – 7:00 PM on the conditions that prior to the event, the Select Board receives a copy of an insurance binder and that the applicant agrees to check with Chief Buffis concerning the placement of police detail for pedestrians crossing the street.*

Lee Council on Aging – FY 2014 Formula Grant Allocation Budget - On behalf of Gail Rothwell, Council on Aging Director, Mr. Nason presented the FY 2014 Formula Grant/Allocation – Statement of Authorization in the amount of \$12,085.00 (\$8.00/elder). Last year's amount was \$10,801.00 (\$7.00/elder). *The Board members voted unanimously to accept the FY 2014 Council on Aging Formula Grant Allocation Budget and authorize the Chair to sign the statement of authorization.*

Temporary Sign Permit – Movies in the Park - Sam Sorrentino presented to the Board, a temporary sign permit application for the Movies in the Park. The movies are free and start at dusk, with pre-movie music by Katherine Winston at 7:15 PM. The movie line-up is as follows: August 9th – Monster's Inc., August 16th – Pocahontas, August 23rd – Hugo and August 30th – The Lorax. The movies are presented by Cutting Edge Audio Video and are sponsored by Zabian's Jewelers, Consolati Insurance, NBT Bank and Athena's Restaurant & Pizzeria. *The Board members voted unanimously to grant a temporary sign permit, nunc pro tunc, to Sam Sorrentino for the Movies in the Park.*

Berkshire Gas Permits - *The Board members voted unanimously to grant four gas permits as follows: i) Emergency gas repair at 100 Meadow Street - ii) Install new gas service at 180 George St. - iii) Install new gas service at 705 Fairview St. - iv) Install new gas service at 715 Fairview St. on the conditions that there will be no excavation on the street for either of the Fairview Street permits granted, as noted on those permits by Superintendent of Public Works, Chris Pompi, P.E.*

4. Pending Business:

- a. Summer 2013 Mini-site collections – Saturday, August 17th, 9:00 AM – 11:30 AM – Great Barrington Recycling Center.
- b. Planning Board - Betnr Construction – Site Plan Review public meeting – Friday, August 12, 2013 – 7:00 PM.

5. Town Administrator:

- a. Personnel – Mr. Nason announced his appointment of Jesse Briggs to serve as Acting Director of the Ambulance Service during Lisa Michaud’s estimated four week medical leave. *The Board members voted unanimously to support the appointment of Jesse Briggs to serve as Acting Director of the Ambulance Service during Lisa Michaud’s medical leave.*
- b. FY 2012 Audit – Mr. Nason announced that the FY 2012 Audit is completed and is available on the Municipal website: lee.ma.us
- c. FY 2014 Revenue & Expense Reports for the month of July, 2013 – Mr. Nason announced that the FY 2014 Revenue & Expense Reports for the month of July, 2013 are on the Members’ work table.
- d. Founder’s Weekend Main Street Road Closing Application to Mass DOT – Mr. Nason announced that Chief Buffis has applied for road closings for Friday, September 20, 2013 from 3:00 PM to 9:00 PM for the “Taste of Lee” and for Saturday, September 21, 2013 from 10:00 AM to 1:00 for the parade.

6. Public Comments:

Bill Navin came before the Board to again speak about the wait time on the turnpike and the fact that there are no signs indicating this. He appealed to the Select Board Members to write a letter or make a call to the State regarding this.

- 7. **Next Regular Meeting:** The next regular meeting will be August 20, 2013 at 7:00 PM in the Courtroom.
- 8. **Motion to Adjourn:** *The Board voted unanimously to adjourn the public session of the meeting at 8:30 PM and as an unanticipated topic arose, to reconvene in Executive Session to discuss collective bargaining strategy, because deliberating in open session would have a detrimental effect. Upon a motion duly made, seconded and unanimously approved by roll call as follows:*

AYES

Patricia Carlino
Gordon Bailey

NAYS

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