

APPROVED ON 1/21/14

Board of Selectmen – Minutes of Meeting

BOARD OF SELECTMEN  
MINUTES OF MEETING – DECEMBER 17, 2013

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

The Chair, Gordon Bailey, opened the meeting at 7:00 PM.

1. **Approval of Minutes:** *The Board members voted unanimously to approve the Public Minutes of the November 5, 2013 meeting and to approve the Executive Minutes of the November 5, 2013 and November 19, 2013 meetings. The approval of the Public and Executive Session Minutes of December 3, 2013 were tabled until the next meeting.*
2. **Public Hearing:** None.

The Board announced that they would be taking the agenda out of order at this point to accommodate those in attendance to hear Mr. Nason's personnel announcement.

5. **Town Administrator**

- a. Personnel – Mr. Nason, at the recommendation of Police Chief Jeffrey Roosa, appointed subject to the Select Board's approval, Officer Craig Desantis, to serve as our Police Sergeant. There were 3 eligible candidates to fill the position. The candidates in order from highest rank to lowest rank are Craig Desantis, Stephanie Burdick and Ryan Lucy. The latter two having declined the position, leaving Desantis with the top score and the willingness to accept the position. Craig brings 18 years of experience and the training and leadership skills. *The Board members voted unanimously to approve Craig Desantis' appointment as our new Police Sergeant.*

As a result of Craig's promotion to Sergeant, Craig is unable to fulfill his duties as the K-9 Officer and there is no other officer willing or able to take on the responsibility of our police dog. In light of this new development, Mr. Nason presented the letter/agreement of December 12, 2013 from the Stanton Foundation, terminating our K-9 grant and the return of the dog to the foundation. The agreement ensures the welfare of the K-9 and minimizes the adverse impact on Lee by the Town adhering to the following steps:

1. Desantis will continue to house and care for the K-9 for the next 30 days.

2. At the end of that period, or earlier, if practical, the Stanton Foundation will advise the town as to the next assignment for the K-9 and Officer Desantis will transport him to the new Massachusetts assignment if requested.
3. Within 30 calendar days of the date the K-9 is transported to his new home, the Town Treasurer will provide the Stanton Foundation with an accounting of all monies spent from the K-9 fund and return the balance to the Stanton Foundation.

*The Board members voted unanimously to authorize the Chair to sign off and return the letter/agreement to the Stanton Foundation, accepting the terms set forth in the letter/agreement.*

3. **General Business:** Collective Bargaining Agreements - Police Officers, Lee Police Association Local 396 - Massachusetts Coalition of Police

Fiscal Year 2001 Agreement, Amendment No. 1

As the members viewed the proposed amendment, Mr. Nason noted that it extends the of the agreement to include fiscal years 2012 and 2013; and, it provides the hourly rate and longevity payment increases accorded other municipal union and non-union employees in FY 2013. Specifically, since no Officer received a step increase in FY 2013 each will receive a 2% hourly rate increase; and, the longevity milestone payments will increase on average by \$150.

*The Board Members voted unanimously to approve the amendment as presented.*

Fiscal Years 2014-2016 Agreement

As the members viewed the proposed changes to the above-noted, amended agreement, Mr. Nason noted the following highlighted provisions:

FY 2014 Steps, except Step 2, are increased by 3.5 % resulting in actual hourly rate increases of 1.5% , because of the 2% rate increases in FY 2013. The length of service to reach Step 2 is reduced from two years to 12 months after graduation from the nine month police academy, and the Step 2 rate is increased by 4.5%. Two Officers reach Step 2 during the last month of FY 2014.

FY 2015 and FY 2016 steps are increased by 1.5% and the difference between the rate of the Officer at the top Step and the Sergeant's rate increases from 5% to 7%.

Outside detail hourly rates increase from \$37 to \$39 upon the signing of the agreement.

Longevity milestone payments will increase on average by \$190 in FY 2015 and \$50 in 2016.

Starting in FY 2015 the Officer in Charge hourly differential will increase from \$0.50 to \$0.75.

Starting in FY 2015 a \$1.00 hourly differential will be paid Officers when working alone between 11:00 pm and 7:00 am.

The annual clothing allowance increases from \$650 to \$750.

*The Board Members voted unanimously to approve the agreement as presented.*

911 Grant - Gordon Bailey recused himself from the discussion and the vote on this topic. The grant discussed is a past grant in the amount of \$150,000.00 to be used 2/3 for upgrade of equipment and 1/3 for personnel expenses. The grant money was used in two phases; the first phase the equipment was purchased and was to be installed in the second phase. \$27,000.00 of the monies was determined to be not reimbursable as the invoice of what we applied for did not match what was actually purchased and this can only be modified prior to the year end. The grant for FY 2014 was very specific and as Patty Carlino is the designated signee, she will sign an authorization for Police Chief, Jeffrey Roosa, to be a signatory also for reimbursements. *The Board members voted unanimously to authorize Patty Carlino to sign the signatory form for Police Chief, Jeffrey Roosa to also be signatory for reimbursement purposes.*

Solar Energy Generation on Town Owned Land - i) Energy Management Service Contract with Broadway Renewal Strategies - Tom Wickham, Chairman of the Energy Efficiency Advisory Committee (EEAC), came before the Board with the Agreement with Broadway for the Solar Energy. The EEAC unanimously voted to recommend to the town the Agreement for signature stating that it is a good deal all the way around and will pay for itself, along with the Town receiving new soccer fields in the deal. *The Board members voted unanimously to approve the Energy Management Service Contract with Broadway Renewal Strategies per the unanimous recommendation of the EEAC and to authorize the Chair to sign the Contract.*

ii) Side Letter Agreement - *The Board members voted unanimously to sign off on the Side Letter Agreement with Broadway Renewal Strategies.*

iii) Additional Peer Review of Playing Fields Grading/Drainage – *The Board members voted unanimously to sign off on the \$1,200.00 Contract Amendment, to be paid by Broadway to Hill Engineers for the Peer Review.*

Regional District Local Technical Assistance Program Application – Inventory of Large Industrial and Commercial Sites in Berkshire County - The purpose of the project is to encourage economic growth by proactively identifying suitable sites for commercial and industrial development. This enables the region to respond quickly to opportunities for the expansion of existing businesses and attracting new businesses through the utilization of GIS mapping and analysis. *The Board members voted unanimously to authorize the Chair to sign the Berkshire Regional Planning Commission Request for Technical Assistance – District Local Technical Assistance Program, 2014.*

License Renewals- *The Board members voted unanimously to approve the License Renewals for 2014 for Innholder's License (1), Class II Licenses (3) and Limousine/Taxi Licenses (1), as read into the record by Chair, Gordon Bailey (see attached sheet).*

One Day Beer & Wine License - David Consolati recused himself from the discussion and the vote. *The Board members reviewed the application and voted unanimously to grant a One Day Beer & Wine License to St. Mary's School for their Italian Dinner Fundraiser to be held at St. Mary's School on Saturday, January 25, 2014 from 5:00 PM – 8:30 PM.*

COA – New Member Appointment- *The Board members voted unanimously to support Mr. Nason's recommendation of Erin Pollard to be a member of the Council on Aging Board for a three year term commencing immediately and ending on June 30, 2016.*

#### **4. Pending Business:**

- a. Planning Board – Rodney Clark – Special Permit – Dec. 23, 2013 at 6:15 PM at 32 Main Street, under Section 199-4.2 G(5) (o) Permitted Uses (Club conducted for profit) of the Town of Lee Zoning Bylaw to operate a leased commercial kitchen – 189 Water Street.
- b. Planning Board – Oak N' Spruce – Special Permit – Dec. 23, 2013 at 6:45 PM at 32 Main Street, under Chapter 164-1 the Scenic Road Bylaw of the Town of Lee – Meadow Street.

#### **5. Town Administrator:**

Mr. Nason presented a memo to the Board regarding the Broadband's postponement of the Main Street Conduit Dig. After waiting months to connect our Town Hall to the Mass Broadband Fiber Optic 123 cable, we accommodated G4S Technology's (Massachusetts Broadband Initiative Contractor) eleventh-hour request to install about 525 feet of underground conduit from Franklin Street along Main Street to Memorial (town) Hall during the first weeks of December, 2013. We expected the work to last about three days, and to be completed by December 13<sup>th</sup>. Unfortunately, the work did not start until December 11<sup>th</sup>, and it did not go well. Moreover, G4S did not return on December 12<sup>th</sup> and was not scheduled to return until December 16<sup>th</sup>, the beginning of the last full shopping week before Christmas. Having confirmed that our neighbor, the College Internship Program, was okay with delaying the work until spring, Mr. Nason asked Mass Broadband Initiative (Christine Hatch) to direct G4S to secure, per Chris Pompei's instructions, the work area for winter, provided that the Executive Office of Public Safety did not advise them of unintended consequences resulting from the delay.

#### **6. Public Comments:**

None.

7. **Next Regular Meeting:** The next regular meeting will be January 7, 2014 at 7:00 PM in the Courtroom.
8. **Motion to Adjourn:** *The Board members voted unanimously to adjourn the meeting at 8:15 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