

APPROVED ON 4/1/14

Board of Selectmen – Minutes of Meeting

BOARD OF SELECTMEN  
MINUTES OF MEETING – MARCH 18, 2014

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

Absent: Gordon Bailey, Chairman

The Chair, David Consolati, called the meeting to order at 7:00 PM.

1. **Approval of Minutes:** *The Board members voted unanimously to approve the Public Minutes of March 4, 2014.*
2. **Public Hearing:** None.
3. **General Business:** Berkshire County Law Enforcement Council Mutual Aid Agreement – Police Chief, Jeffrey Roosa came before the Court to present the Berkshire County Law Enforcement Council Mutual Aid Agreement. The Agreement funnels Homeland Security and other regional grants from regional, state and federal funding. Chief Roosa commented on a few past grants that have been awarded; namely, communications upgrade, purchase of a new Bearcat Armored Vehicle for the County and protection “jump bags”. In times of emergency crisis this mutual aid gets activated for regional emergency management assistance setting up and filling Incident Command System (ICS) positions that small departments either don’t have enough manpower to fill or they are not trained to fill. This new Mutual Aid agreement covers our officers when they are out of Lee and need to take action. Most communities in the county have already signed on. This Agreement updates and replaces the 2007 agreement pursuant to the provision of Massachusetts General Law Chapter 40, Section 8G and is intended to supplement but not contradict the provisions of MGL, Chapter 41, Section 99 and Chapter 37, § 13, as well as all other statutory and common law authorizing police officers of one community to exercise police power in another community, in order to provide mutual aid for the protection of public safety. *The Board members voted unanimously to adopt the agreement and to authorize Town Administrator, Robert Nason and Police Chief, Jeffrey Roosa, to sign it.*

Solar Energy Generation on Town Owned Land – Mr. Nason spoke to the Board regarding our interview with a new company as the company we had contracted, Broadway Renewable Strategies, LLC, went out of business. The new company, e-NRG, has not been able to come to terms with

State Electrical and at this time they are working with two other electrical contractors. David Consolati stated that we are working to keep the project together at this time.

Surplus Department of Public Works Vehicle - In accordance with Town By-Law 59-1, the Department of Public Works is seeking approval to begin the disposition of a 2002 Ford F-550 with 58,500 ± miles on the odometer. The process for disposition will include publishing an invitation to bid in the Berkshire Eagle and Berkshire Record. Detailed information and/or inspection of the vehicle can be obtained by contacting Dennis Kelly at 413-281-7405. *The Board members voted unanimously to begin the disposition process.*

Willow Street Bridge Over the Housatonic River – Superintendent of Public Works, Chris Pompei, P.E. submitted a memo to the Board regarding the Willow Street Bridge, in which he stated that we recently met with Onyx to discuss the sidewalk replacement on the bridge as part of the overall bridge rehabilitation. Town funding will rehabilitate the bridge superstructure, but Onyx decided not to contribute funds to replace the sidewalk. Chris relayed that information to Gill Engineering, Paul Moyer and they are in the process of changing the plans and specifications to reflect this for bidding. The tentative schedule to modify the plans/specifications is approximately 2 weeks, with it going out to bid in April and construction to begin in June. Paul Moyer of Gill Engineering, will let us know once the solid dates are in place.

Berkshire County Regional Household Hazardous Waste (HHW) Collection Program - Nine collection opportunities took place in 2013; seven at the mini site collection sites in Lenox and Great Barrington and two comprehensive HHW collections were held in Stockbridge and Great Barrington. About 409 households participated in the last collection and more than 3000 gallons and/or pounds of hazardous waste were collected and disposed of properly. In addition, about 1450 gallons of paint and 430 gallons of motor oil were collected at the mini sites this year. The members of the steering committee announced that this regional HHW collection model continues to work and serve the citizens of South County. They ask citizens to let them know if there are any suggestions about ways we could improve the program. The Steering Committee would like to continue this regional HHW collection program at the same level of service, including the same assessment as in FY 2014. The fee anticipated for Lee is \$4,536.00 as we are hosting this year. They ask that we provide a Letter of Intent for our participation in the program. *The Board members voted unanimously to sign and submit the Letter of Intent to participate in the Southern Berkshire Regional Household Hazardous Waste Collection Program.*

Dispatchers Collective Bargaining Agreement - Mr. Nason presented to the Board the Town of Lee Dispatchers July 1, 2013 – June 30, 2016 Agreement with Teamsters Local No. 404. This agreement includes rate increases of 1.5% with adjusted longevity consistent with the school and other increases. Also, the town's premium contribution for the more expensive preferred provider plan is equivalent to the HMO. *The Board members voted unanimously to accept the Dispatcher's Collective Bargaining Agreement with Teamsters Local No. 404.*

Conservation Commission Recommendation – Mr. Nason presented to the Board a memo received from Kathy Arment, Chair of the Conservation Commission. The memo states that she is pleased to announce that Mr. Jaime Wickham has requested full voting status with the Conservation Commission. Mr. Wickham has attended several meetings and would like to continue as a voting

commissioner. She asked that the Board move forward with his appointment which will then bring their membership to six voting members. She also asks that if anyone else comes forward with an interest in the Commission to contact either Kathy Arment, Chair of the Conservation Commission or Deb Garry, the Conservation Commission Administrative Assistant. *The Board members voted unanimously to approve the recommendation and appoint Jaime Wickham as a member of the Conservation Commission.*

Historical Commission Vacancy – David Consolati read a memo from Caroline Young of the Historical Commission in which she states that they are looking for a new member. Caroline has asked David Parker to put this vacancy on our Town of Lee website and anyone interested can contact the Selectmen's office or contact Caroline Young at [rattlerprod@earthlink.net](mailto:rattlerprod@earthlink.net).

Film Permit – Mr. Nason presented to the Board members e-mails he received from Lauren Rogers, Production coordinator for Jack Morton Worldwide in NYC. She is currently prepping a 10 week cross country road trip documenting the current state of small business across the country. They are still in the screening process for potential interviews, but they are tentatively stopping in Lee on April 10, 2014. They will be shooting the interview inside the small businesses, but will also need some exterior and establishing shots of the Lee area. There will be no street blocking and when Mr. Nason asked Chief Roosa if he had any concerns or suggestions, Chief Roosa stated that they should contact him when they get an exact date and time and we'll accommodate them the best we can.

One Day Beer & Wine License – G. Marconi Lodge #1620 – *The Board members voted unanimously to grant a one day beer & wine license to the G. Marconi Lodge #1620 for a spaghetti dinner charitable fundraising dinner at the St. Mary's School Gymnasium on Saturday, May 17, 2014 from 5:00 PM – 7:00 PM.*

One Day Beer & Wine License – Lee Lions Club – *The Board members voted unanimously to grant a one day beer & wine license to the Lee Lions Club, for a picnic for the Annual testimonial for outgoing District Governor of the Lions Club.* This event is by invitation, for Lions Club members and their guests and is not open to the general public.

Keno to Go – Sandri, Inc. – 15 Park Street - The Board members were presented with a notice from the Massachusetts State Lottery Commission stating that they are offering existing, non-pouring agents the Keno to Go game, a transaction which is identical to the already existing on-line games, such as Megabucks and Mass Cash. The Lottery Commission is notifying the Board of this intent in accordance with M.G.L. c 10, Section 27A., stating that if they object they must do so in writing within twenty-one days of receipt of the notification. *The Board members stated unanimously that they had no objections to the Keno to Go game at Sandri 127, 15 Park Street, Lee, MA.*

4. **Pending Business:** None.

5. **Town Administrator:** FY 2015 Operating Budget Requests, Update - Mr. Nason presented to the Board members the FY 2015 update of the Operating Budget Requests for their review. These requests will be subject to review by the Finance Committee which will be meeting on Wednesday, March 19, 2014 at 6:00 PM.

FY 2015 Capital Outlay Requests - Mr. Nason presented to the Board members the Capital Outlay Requests. As they have both just received these documents, David Consolati and Patty Carlino stated that they would like to take time to go over them more carefully.

6. **Public Comments:** Three members of Boy Scouts, Group #3 were present at the meeting to meet the requirements of their attaining their Community and Citizenship merit badges.

Bill Navin came before the Board and asked about the status of the repairs to Tyringham Road. Mr. Nason stated that Water Main Replacement has been done and Mass Department of Transportation (Mass DOT) is waiting final funding approval. Mass Dot expects to start the repair work in the Spring. Mr. Navin also voiced complaints regarding Time Warner and their escalating fees.

Gus Free of Prospect St., Lee, one of the boy scouts present at the meeting came before the Board and asked when the potholes on Prospect Street would be taken care of. David Consolati explained that we have Chapter 90 funds to cover the cost of those repairs and the project would go out to bid in the next week or two. The work should commence this summer.

Kathy Corbett came before the Board to state her disappointment with the DPW and the lack of snow removal at the bus stops, the ice build-ups that are now puddles of water and the difficulty this creates for those in wheelchairs. She also had complaints about the number of post office boxes in the area and the Board directed her to speak to the Postmaster about these issues. Kathy also commented that because we have handicap parking signs, by law we don't have to paint the wheelchair on the parking spot and we could save money if we didn't paint the spots. She stated that in "Little Italy" she didn't hear the plow trucks much. When asked by Mr. Nason if the streets were plowed in "Little Italy", she responded "no". Patty Carlino stated that we would follow-up with Chris regarding plowing. Mr. Nason commented that we are \$60,000 (more or less) over budget for our salt and sand. Mr. Nason suggested to Kathy that she contact Mr. Pompei about the plowing issue. Mr. Nason also stated that he would connect with Chris about these issues.

7. **Next Regular Meeting:** Our next regular meeting will be April 1, 2014 at 7:00 PM in the Courtroom.
8. **Motion to Adjourn:** *The Board members voted unanimously to adjourn the public session of the meeting at 7:38 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