

Board of Selectmen – Minutes of Meeting

BOARD OF SELECTMEN
MINUTES OF MEETING – MAY 1, 2012

Present: David J. Consolati, Chairman, Gordon D. Bailey, Patricia D. Carlino, Board of Selectmen.

Robert L. Nason, Town Administrator

Selectman, David J. Consolati, opened the meeting at 7:00 PM.

1. **Approval of Minutes:** The members of the Select Board voted unanimously to approve the minutes of the April 24th, 2012 meeting.
2. **Public Hearings:** The Ponds Association Special Permit. This Hearing was continued from April 17, 2012 in order to clarify a restriction in a prior *Decision, Findings and Rulings, dated May, 1978, wherein Number 6, Section I, states "No guest occupancy in excess of one-hundred and twenty (120) days for any individual except resident employees shall be permitted"*. The members voted unanimously to remove Section I in the 1978 Special Permit. Gordon Bailey made the following five motions: 1) the property is in compliance with all provisions and requirements and in harmony with its general intent and purpose. 2) The special permit is essential or desirable to the public convenience or welfare at the proposed location. 3) The use will not be detrimental to adjacent uses or to the established or future character of the neighborhood. 4) The use will not create undue traffic congestion or unduly impair pedestrian safety. 5) The use will not overload any public water, drainage or sewer system or any other municipal facility to such an extent that the proposed use or any existing use in the immediate area or in any other area of the town will be unduly subjected to the hazards affecting public health, safety or general welfare. *These five individual motions were seconded and unanimously approved.*

Gordon Bailey also made a motion that the special permit be issued as presented with no additional conditions to this special permit. All were in favor, upon a roll call as follows:

<i>Gordon Bailey</i>	<i>Aye</i>
<i>Patty Carlino</i>	<i>Aye</i>
<i>David Consolati</i>	<i>Aye</i>

3. **General Business:** a) Entertainment License – Benefit for Chris Smith on May 6, 2012 from 1:00 – 6:00 PM at the Lee Athletic Field - This benefit was presented and flyers handed out by Mohamed Zabian. *The Board voted unanimously to approve the Entertainment License.*

b) Jacob's Pillow Dance – Temporary Sign Permit – banners – June 16th – August 26, 2012. This was presented by Katryn Geane for signs to be hung on Water Street as they have done for the last 6 years. *The Board voted unanimously to approve the Temporary Sign Permit.*

c) Country Curtains – Temporary Sign Permits – Annual Sale – May 10-27, 2012 / May 31-June 5, 2012 / June 7-12, 2012 at “The Rink”. *The Board voted unanimously to approve the Temporary Sign Permits. (Selectman Bailey recused himself from the discussion and vote)*

d) Berkshire Gas Company – Permit to repair gas main at the intersection of Mill St. & Sunshine Avenue. *The Board voted unanimously to approve the permit and Patty Carlino seconded.*

e) Athletic Field Rules – The Board members received the rules of the Athletic Field on Housatonic Street, agreeing that the Park hours would be 8:00 AM to dusk. It was also discussed about the posting of the rules (school bulletin boards, website, etc.) Gordon Bailey made some minor adjustments to the format of the rules.

4. **Pending Business:** a) Household Hazardous Waste Spring Collection – The Spring 2012 Mini-Site Collection schedule was read at the meeting. Saturday, May 5th, 9:00 am – 11:30 am at the Great Barrington Recycling Center. Saturday, May 19th, 9:00 am – 11:00 am at the Lenox Public Works and Saturday, June 9th, 9:00 am – 11:30 am at the Great Barrington Recycling Center.

b) The Special & Annual Meeting - May 10, 2012 @ 7:00 PM at the Lee Middle/High School.

c) Annual Town Election – May 14, 2012 – The polls are open from 7:00 AM – 8:00 PM at the Crossway Village Gym.

d) Town of Lee Police Department and the Governor's Auto Theft Strike Force – May 19, 2012 at Southern States Auto, Housatonic Street, Lee from 9:00 AM – 2:00 PM. The Lee Police Dept. in conjunction with the Governor's Auto Theft Strike Force will be sponsoring a VIN Etching event on Saturday, May 19, 2012 at Southern States Auto Sales on Housatonic Street in Lee from 9am to 2pm. A fee of \$10.00 (cash only) will be charged to the customer. All glass panels on your vehicle will have the cars VIN (Vehicle Identification Number) etched into the surface and you will be given a certificate good for a discount of 15% or more on your comprehensive auto insurance. You must present your vehicle registration at the time of the etching for verification of your VIN. Questions can be directed to Pamela Surette, Program Coordinator for the Governor's Auto Theft Strike Force at (781) 393-1201.

In connection with Articles 48, 49 & 50 on the Annual Town Meeting Warrant, DeeDee Consolati came before the Board to present a copy of Chapter 40, Section 8c in regard to the Edith Wharton Park property for their review.

5. **Town Administrator:** a) Personnel – Robert Nason announced the appointment (subject to the Board's Approval) of Don W. Fitzgerald for the position of Alternate Building Commissioner. Don is a Certified Building Official attaining the licensure of a Massachusetts Building Commissioner.

Don currently is employed as a Local Inspector in the Town of Lenox. *The Board voted unanimously to approve the appointment.* (Gordon Bailey recused himself from the discussion and vote).

Mr. Nason also wanted to publicly apologize to the Conservation Commission. It seems their report did not make the Town Report. Gordon Bailey suggested that we could post their report on the website. Mr. Nason said that he would look into the matter.

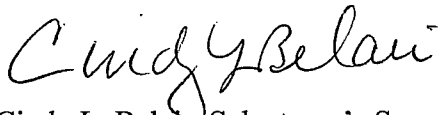
6. **Public Comments:** David Consolati wanted to thank all the towns (27 communities) that came to the aid of the Town of Lee for the fire in Lee that burned on October Mountain. He acknowledged his disappointment that the Coast Guard denied our request for a water drop and our men and all the volunteers had to climb up and through rocky terrain to put the fire out by hand.

Patty Carlino wanted to know if there were any vacancies on any committees. Robert Nason stated that the 5 Town Cable and Board of Public Works may have vacancies. Gordon Bailey stated that we are always looking for volunteers.

Patty Carlino wanted to remind everyone that if they're not going to be in town for voting to fill out an absentee ballot with the Town Clerk's office.

7. **Next Regular Meeting:** The next regular meeting is scheduled for May 15, 2012 at 7:00 PM.
8. **Motion to Adjourn:** *The Board voted unanimously to adjourn the meeting at 7:30 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