

APPROVED ON 11/3/15

Board of Selectmen – Minutes of Meeting

BOARD OF SELECTMEN  
MINUTES OF MEETING – October 20, 2015

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

Chairperson, Patricia Carlino, called the meeting to order at 7:00 PM .

1. **Approval of Minutes:** *The Board members voted unanimously to approve the Select Board minutes of October 6, 2015 and October 9, 2015.*
2. **Public Hearings:** FY 2016 Tax Rate Classification - - Dayton Delorme, Chairman of the Board of Assessors, came before the Board and informed them that the excess levy capacity for FY 2016 is \$1,677,712.57. He also explained the three exemptions that the Town could choose to adopt. We expect the Massachusetts Dept. of Revenue to approve our proposed FY 2016 tax rate of 14.56 per \$1,000 of assessed valuation. That rate is \$0.48 (3.4%) more than the FY 2015 rate of \$14.08. Since the average single family home's assessed value increased from \$251,552 in FY 2015 to \$252,491 in FY 2016 or by \$940 (0.3%) the average single family tax burden has risen by \$134.00 from \$3,542 in FY 2015 to \$3,676 in FY 2016. Noting that aggregate Commercial and Industrial property values were much than the Residential property values, Chairman Delorme reported that the Assessors' recommend that the Select Board continue its past practice of a single tax rate for all property classifications without residential or small commercial exemptions. *The Board members voted unanimously to approve the FY 2016 single tax rate (\$14.56 per \$1,000 of valuation) without residential exemptions, the open space discount and without the small commercial exemption. The Board members also voted to allow Bob Nason to enter their approval of the Tax Re-Cap Form on the Dept. of Revenue's Gateway Electronic Program. Bob announced that we expect to send taxpayers their bills by November 2<sup>nd</sup>, with payment due by December 2, 2015.*

It was noted that in addition to the customary abatements and exemptions that are explained on the tax bill, the Town has developed two programs to assist taxpayers. One is the Senior Citizen Property Tax Work-Off Abatement Program where each

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year as many as 15 residents may earn a property tax reduction of up to \$1,000 performing general office work or light manual labor for the Town. The \$9.00 per hour tax reduction earnings rate will increase to \$10.00 per hour on January 1, 2016. The reduction is applied towards the property tax due the fiscal year following the fiscal year during which the work is performed. The second is the Elderly and Disabled Taxation Fund, which is funded by contributions from taxpayers to help elderly and disabled persons of low income to pay their real estate taxes when they are experiencing financial hardship.

3. **General Business:** The Garrity-Shields Pavilion – Kathy Hall came before the Board and read a statement regarding the new Pavilion at the Lee Athletic Field. (See copy attached).

Sarah Stiner (Blackwater Realty) – 850 Summer St., M-12 – alterations to Special Permit – Sarah Stiner came before the Board with some alterations (extending the deck area) to the original Special Permit granted on December 2, 2014 for the property located at 850 Summer Street. The Board members reviewed the revisions and after a brief discussion, they determined that the alterations did not exceed the 4,400 square feet of the original plan and did not affect the original setback. *The Board members voted unanimously to grant the extension of the decking as this was not a substantial deviation from the original plan.*

Tyringham Road Reconstruction - Upon review of the contractor for MassDOT, Baltazar Contractor's Inc., Change Order #11 in the amount of \$14,079.42 for the Class A Rock Excavation, incurred due to additional rock encountered during the construction of the gabion walls, *the Board members voted unanimously to accept the \$14,079.42 increase in the construction contract amount and authorize the Superintendent of Public Works to sign the change.*

Fall Hydrant Flushing Schedule - The Board members were presented with the Fall 2015 Hydrant Flushing Schedule for the Town which will run from approximately Mon., Oct. 26, 2015 through Friday, Nov. 13, 2015 between the hours of 8:00 PM and 4:00 AM. This schedule is posted on the Municipal Website.

Revised Utility Credit Sales Agreement – In response to the developer's (Energy Management, Inc./EMI) identification of some erroneous section references and EMI's request to clarify the Price calculation, Special Counsel Jeff Grandchamp drafted changes on pages 1,2,7 & 8 of the August 18, 2015 agreement with Willow Hill Road Solar, LLC. *The Board members voted unanimously to accept the agreement as revised and authorize the Chair to sign the revised agreement.*

Shared Services – Community Compact Application Amendment - *The Board members voted unanimously to amend the application (which was approved at the*

*August 18, 2015 meeting), to add municipal services to the initial school collaboration assistance request.*

Intermunicipal Agreement – Shares Services (with Lenox & Stockbridge) – *The Board members voted unanimously to approve as presented, the intermunicipal agreement which creates a Tri-Town Administrative Review Committee to recommend shared municipal services to the Towns of Lee, Lenox and Stockbridge; and, authorize the Chair to sign the agreement.*

Sustainable Materials Recovery Program Grant Agreement - *This grant, in the amount of \$750.00, was used to supply the water bottles at Founder’s Weekend. The award was announced at the October 6<sup>th</sup> Select Board Meeting. The Board members voted unanimously to authorize the Chair to sign the agreement.*

Recycling Committee Appointment - *The Board received a letter from Joan Angelo stating that she has expressed interest in becoming a member of the Recycling Committee. The Board members voted unanimously to appoint Joan Angelo to the Recycling Committee for the standard one year term.*

One Day Beer & Wine Licenses – *The Board members voted unanimously to grant a One Day Beer & Wine License to St. Mary’s School for a Paint & Sip School Fundraising Event to be held on Thursday, November 12, 2015 from 6:00 PM – 9:00 PM.*

*The Board members voted unanimously to grant a One Day Beer & Wine License to The Spectrum Playhouse for a Halloween Concert (Berkshire Bateria) and Costume Contest to be held on Saturday, October 31, 2015 from 8:00 PM – midnight.*

Utility Cut Permit - *The Board members voted unanimously to grant (nunc pro tunc – Oct. 19, 2015) a Utility Cut Permit to Wilkinson Excavating for the installation of new water & sewer service at 95 Church Street, Lee, MA.*

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

- a. 2015 Household Hazardous Waste Collections – Saturday, October 24<sup>th</sup> – 9:00 AM – Noon - Great Barrington Recycling Center (note price increase for TV’s up from \$10.00 to \$20.00)
- b. Lee Planning Board Meeting – Topic: ZBA – Public Hearing/Willow Hill Solar, LLC – at Select Board Meeting Room – Lenox Town Hall, 6 Walker Street, Lenox, MA on Wednesday, Oct. 28, 2015 at 7:00 PM.
- c. Halloween (Trick or Treat) – Saturday, October 31, 2015 from 5:00 PM – 7:00 PM.

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

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- a. **Personnel – Resignation** – Mr. Nason announced that after 14 years of service to the town, our Building Commissioner, Donald Torrico has resigned to accept a new position as Building Commissioner/Superintendent of Buildings in the City of Westfield. We are grateful for his many years of service and wish him well in his new position.

*Appointments - Mr. Nason appointed, with the approval of the Select Board, Alternate Building Inspector, Don Fitzgerald as Acting Building Commissioner. Mr. Fitzgerald as served as the Town of lee Alternate Building Inspector since May 1, 2012.*

Mr. Nason stated that also assisting will be retired Lenox Building Commissioner, Bill Thornton, who has served as Town of Lee Alternate Building Inspector since 2008.

*Mr. Nason appointed, with the approval of the Select Board, Jeff Clemons, of Pittsfield, MA as a local inspector to the Building Department Staff.*

*Mr. Nason appointed, with the approval of the Select Board, Lindsey Beshara as a part time EMT for our ambulance service.*

Employment Opportunities – Mr. Nason stated that we are also still looking for a permanent Building Inspector, a Highway/Cemetery Division Supervisor and a School Crossing Guard.

## 6. **Public Comments:**

Berkshire Eagle Reporter, Dick Lindsay asked if we had thought about shared services when looking for a Building Inspector. Mr. Nason responded that we are and have been exploring shared services for a number of positions.

David Consolati congratulated the Lee Golf Team and we wish them well moving forward.

On a somber note, David Consolati extended condolences to the families of Hank Zukowski, former school superintendent and former Lee Police Chief, Johnny Boyne.

7. **Next Regular Meeting:** Our next regular meeting will be on Tuesday, November 3, 2015.
8. **Motion to Adjourn:** *The Board Members voted unanimously to adjourn the meeting as 8:04 PM.*

Respectfully submitted,

Cindy L. Belair,  
Selectmen's Secretary

Notice of Website Posting Sent to:

Board of Selectmen	Board of Assessors	Dept. of Public Works
Town Administrator	Board of Health	Town Treasurer
Town Clerk	Conservation Commission	Town Reps. District Cha Chairmen
Town Collector	Police Chief	Superintendent of Schools
Planning Board	Building Inspector	Town Accountant