

APPROVED ON 6/2/15

Board of Selectmen – Minutes of Meeting

BOARD OF SELECTMEN
MINUTES OF MEETING – May 19, 2015

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

The Board members unanimously decided to delay the Board re-organization until the end of the continuation hearing for Golden Hill Properties in order that the Hearing remain consistent.

Chairman, 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 May 5, 2015.*
2. **Public Hearings:** Continuation of Hearing of May 5, 2015 – Golden Hill Properties (475 East Street) – Special Permit to convert the property into 9 one or two bedroom apartments – Chris Gerardi and his wife and business partner, Ann Hayes came before the Board with their revised site plan which included screening, lighting, handicap parking, etc. They presented a slide presentation of before/after photos of some of their rental properties. Dave Forrest came forward and acknowledged that he had been to the open house meeting of the subject property on 475 East Street and he stated that it was a good meeting. He believes the petitioners have made a step in the right direction. Bill Navin suggested downsizing the number of apartments. David Consolati stated that at present the property consists of an abandoned building and the conversion of the property will bring valuations of abutter's properties up, not down. Ed Forfa asked what is the purpose of zoning? David Consolati explained that the Planning Board makes recommendations, but ultimately the approval falls to the Selectmen under a "special permit". Mr. Gerardi explained that at present they have 100% occupancy and are not planning to sell anytime in the near future. Patty Carlino commented that the conversion of the property will not be detrimental to property values. She stated that she attended the open house and was impressed and the town is in need of rental properties. Ed Forfa commented that he thought it was a small building to contain nine families. He commented that there are apartments available in town and he is concerned about the water pressure. Chris Pompei, PE, Superintendent of Public Works commented that he

has the water reports available. He stated that Maritta & Paul Drive have some pressure problems, but he hasn't gotten any calls. He also stated that the issues will get engineering properly. Dan Corchaine, District 1, stated that he stays in these types of rentals all the time while traveling and the people who stay/live there are "just people who need a place to live". Fadi Nejaim stated that he had some concern though he was happy that someone is willing to invest. Mr. Gerardi stated that 1,700 square feet in the lower level is totally handicap accessible and there is plenty of parking. He has addressed the noise and light pollution with downcast lighting as required. Tom Wickham stated that this is a 10,000 square foot building and we "must allow something". He also stated that this use won't change the character of the neighborhood. This is a solution and we need appointments. Don Humeston whose property is next door has concerns about parking and noise. Mr. Gerardi replied that he doesn't anticipate problems.

The Board members voted unanimously to grant the Special Permit by the Special Permit Granting Authority upon the following motions and findings that the proposed use:

- 1. Is in compliance with all provisions and requirements of this chapter and in harmony with its general intent and purpose; because the original veteran's home contained multiple apartments and this special permit has the same intent and purpose.*
- 2. Is essential or desirable to the public convenience or welfare at the proposed location; because a multiple unit dwelling return the property to its original use.*
- 3. Will not be detrimental to adjacent uses or to the established or future character of the neighborhood; because the property's use won't be changed as it is being used for the same purpose as already established.*
- 4. Will not create undue traffic congestion or unduly impair pedestrian safety; because East Street is one our widest roads in the town and the conversion won't create additional congestion.*
- 5. 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 subject to the hazards affecting public health, safety or general welfare; because the current use has nine bathrooms which keeps the property in the same realm. The Dept. of Public Works states that there is plenty of water flow and as such passes the special permit process.*

The Board members voted unanimously to approve the project as presented. Thomas Wickham voted aye and stated that he had no conflict, Patricia Carlino voted aye and
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stated that she had no conflict and Chairman, David Consolati voted aye and stated that he had no conflict.

The next order of business was to reorganize the Board. *Upon motion duly made and seconded the Board members voted unanimously to appoint, Patricia Carlino as Chair and David Consolati as Clerk.*

- 3. General Business:** West Park Street Bridge Repair - Chris Pompei came before the Board and stated that we received an emergency waiver for the second patch for a total amount of \$19,350.00 from the pothole money. When LB Corp. uncovered two deck sections that were scheduled for replacement it revealed that deck deterioration extended about another 80 square feet. If not repaired, it could lead to another unexpected, life threatening failure. *The Board members voted unanimously to accept LB Corporations amount of \$9,500.00 for the additional repairs and to authorize the Chair to sign the contract amendment.*

Sale of Surplus Water Division Truck with Plow - The DPW advertised for bids for the purchase of a 2003 Ford 350 truck with plow. Three bids were received, one of which was disqualified as it was below the \$6,000.00 minimum. Village Truck Sales was the highest bidder at \$6,890.00. *The Board members voted unanimously to sell the surplus Water Division Truck with Plow to Village Truck Sales for the sales price of \$6,890.00.*

Purchase of Sewer Division Truck with Plow – A \$34,347.00 quote from MHQ for a 2016 Ford F250 Regular Cab 4x4 pickup with plow was presented to the Board. in the amount of \$34,347.00. *The Board members voted unanimously to approve the purchase of a 2016 Ford F250 pick-up truck for the amount of \$34,347.00 and to authorize the Chair to sign the purchase agreement.*

Over the Rail Mower Replacement – The Town solicited quotes for a replacement flail head for the town's McConnel PA93 mower. The lowest bid was from Tri-county Contractors in the amount of \$5,925.00. *The Board members accepted the DPW recommendation to purchase the flail head from Tri-County in the amount of \$5,925.00 and to allow the Chair to sign the purchase agreement.*

Chris Pompei also reported to the Board that Prospect Street is on the list to fix the salt killed grass.

Ambulance Service Update - Ambulance Director, Lisa Michaud came before the Board to update the revised estimate of the FY 2016 shortfall. Estimated received were \$390,000.00 and the actual receipts thorough May 13, 2015 were \$397,073.71 for an overage of \$7,073.71. The shortfall appropriation was of \$46,687.00 less the receipts of \$7,073.71 create an actual shortfall of \$36,613.29. The uncollectible fees from 2009 – 2013 are \$158,663.62. Mr. Nason stated that the collection agent President will be

coming on June 3rd to discuss this. *The Board members voted unanimously to write off the \$158,663.62.*

Mr. Nason stated that the new ambulance will be delivered on May 14th. Lisa stated that two ambulances were bought in 2006 and both had a motor recall, which extended their warranty by 7 years. The maintenance requirements of the new ambulance will be overseen by Matt Tyer, a full-time EMT, who will augment the daily checks by EMTS when they start their shifts.

Patty asked when the Paramedic Service would be in place and Lisa responded by July 1, 2016. Patty also commented that she would like to know the outcome of the meeting with the vendor.

25 School Street Reuse Discussion - Notices were sent out to Departments and commissions that might have use or ideas for the lot and Mr. Nason reported that at this time we are still waiting for responses. *The Board members voted unanimously to put this matter on the calendar for the next meeting.*

Elizabeth Masiero, an abutter, came before the Board with her concerns. She has concerns about the parking and how it could be regulated as a parking lot. She has concerns about the noise from the nearby bar and the safety of the families that live on or near 25 School Street, if the property were to become an extra parking lot for the bar.

Open Space and Recreation Plan Update – *The Board members voted unanimously to execute the Berkshire Regional Planning Commission's Agreement with the Town of Lee and to authorize the Chair to sign the Agreement.*

Temporary Sign Permit – Jacob's Pillow - Gregory Hughes came before the Board to present a request for a temporary sign permit for Jacob's Pillow which is the same as in the past years to run from June – August. *The Board members voted unanimously to grant the Temporary Sign Permit as presented and to waive the fee.*

Temporary Sign Permit – 980 Pleasant Street – *The Board members voted unanimously to grant the Temporary Sign Permit to the EconoLodge (980 Pleasant Street) for the period of May 25th through June 4th, until their Permanent Signage is approved.*

Temporary Sign Permit – Farmers Market – *The Board members voted unanimously to grant for the duration of the farmers market, the three (3) Temporary Sign Permits to the Lee Farmers Market; one on Main Street, one on Park Square and a Sandwich Board sign, as presented and to waive the fees.*

Energy Supply Procurement – Mr. Nason discussed the Energy Supply Procurement procedure which is the same as in 2013. He will meet with the Energy Efficiency Advisory Committee (EEAC) on Wednesday, May 20th and they may be making

procurement tomorrow. Two signatures will need to be on the documents. *The Board members voted unanimously to name David Consolati and Bob Nason as the signatories on the contract.*

4. Pending Business:

- a. Spring 2015 Mini-Site Collections – Saturday, May 30th, 8:30 – 10:30 AM – Lenox Dept. of Public Works.

5. Town Administrator:

Sandy Beach Seasonal Appointments - At the recommendation of the Sandy Beach Committee, Mr. Nason announced his seasonal reappointments of Lifeguards, Samantha Kate Brown and Samantha Miller and Maintenance Personnel, Dmitri Consolati and Myron Hood. *The Board members voted unanimously to approve Mr. Nason's seasonal appointments.*

Seasonal Groundskeeper at Waste Water Treatment Plant - At the recommendation of Chris Pompei and Al Zerbato, Mr. Nason announced his seasonal reappointment of Evan Consolati as Seasonal Groundskeeper. *The Board members voted unanimously to approve Mr. Nason's seasonal appointment.*

- 6. Public Comments:** Mr. Nason announced that, due to a miscommunication, the non-binding ballot question regarding the borrowing of \$5,000,000 for road repair did not appear on the ballot. Mr. Nason apologized for this and commented that it would be on the ballot at the next town election in May 2016, if not sooner on a state election ballot.

David Consolati announced the Memorial Parade for Monday, May 26th at 10:00 AM, with a rainout ceremony at the Zukowski Auditorium.

- 7. Next Regular Meeting:** The next regular meeting will be on Tuesday, June 2, 2015 at 7:00 PM in the Courtroom.
- 8. Motion to Adjourn:** *The Board members voted unanimously to adjourn the meeting at 8:55 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 Cha Chairmen
Superintendent of Schools
Town Accountant