

## TOWN OF LANESBOROUGH SELECTMEN'S MEETING

Submitted by Diane Stevens, Town Secretary

May 18, 2015

Present: Mr. John Goerlach, Chairman  
Mr. Robert Ericson  
Mr. Henry Sayers  
Mr. Paul Sieloff, Town Administrator

Warrants: Warrants Signed

The meeting was opened by John Goerlach at 6:00 p.m.

### Public Comment

Ron Tinkham and Paul Soroken came before the Board regarding the remaining work to be completed on Sunrise Street. Mr. Goerlach stated that the Town is aware of the issues and the Water District and Highway Department are coordinating to get the remaining clean-up work done. Mr. Tinkham complained about drainage/culvert issues and Mr. Sieloff stated that he would follow up with the DPW Director. Mr. Sieloff urged Mr. Tinkham and Mr. Soroken to attend the Water District meetings, one of which is this Friday to voice their concerns.

### Permit(s) / Contract(s) / Use of Town Property or Notification to Town of Community Event / Appointment(s)

#### **Child Care of the Berkshires Play and Learn Group Use of Community Room**

Mr. Sieloff stated that the Town is waiting to see if this group can be moved to the Elementary School and would like to resolve this before the end of the school year. The matter will be placed on the next Agenda and a representative from the organization will be asked to attend.[#1]

### Concerned Citizens of Lanesborough Gas Pipeline Petition

Russell and Martha Freedman and the Concerned Citizens Group presented a petition to the Board with approximately 500 signatures in opposition to the proposed pipeline. Mr. Freedman stated that this petition was not certified by the Town Clerk. Mr. Freedman read the Petition aloud to the Board and citizens in attendance. Lawrence Spatz came before the Board and presented information regarding dishonest practices relative to Kinder Morgan. Mr. Spatz stated that he was not acting on behalf of the Board of Health but as a concerned Town resident. Mr. Spatz stated that the Board of Health will be meeting at a future date about this issue. Mr. Goerlach asked if the Board of Health would be meeting before Town Meeting. Mr. Spatz stated that they would not. The group stated that they had only covered half of the Town and approximately 500 signatures were still obtained. The group was very concerned with the possibility that the pipeline would run through the Town's water system, presented the Board with information and statistics relative to this and asked if the Board had a plan in place if the water system was compromised. Mr. Goerlach stated that the Town has contracted with other towns through the Berkshire Regional Planning Commission to help guide the Town through this process. Mr. Freedman also presented the Board with an article from the Boston Globe for their information. The group asked how this proposal would affect property values and/or taxes. Mr. Goerlach stated that he felt it would not impact property values. The group stated that the Department of Revenue sets the value on the pipeline for tax assessments and that the million dollar per year tax payment to the Town is not going to be consistent each year as the pipeline will decrease in value. The group asked where the tax money would go that is collected and what benefit it would have for residents. Mr. Sieloff stated that it would go into the general fund and it could result in a possible tax decrease to residents. The Board was asked if they have met with Conservation Commission. Mr. Goerlach said not at this time. The group asked the Board if they were in favor of the proposal. Mr. Goerlach stated that he would like to see more information before making any type of a decision. Mr. Ericson stated that he would like to look over the information that has been presented. Mr. Sayers stated that he is undecided, thanked the group for the information and stated that he would like to wait for Town Meeting to see how the Town votes. The group asked the Board if information could be placed on the Town's website. The group asked the Board if they would table the Kinder Morgan access to Town Property for surveying which is listed on tonight's Agenda until after Town Meeting. Mr. Goerlach stated that he would take this into consideration. Mr. Tinkham asked the Board if it was possible to put this on the ballot for Town residents to vote. Mr. Goerlach stated that the Board would ask at Town Meeting if residents would like this question added to the ballot. The group asked about the future of any solar projects. Mr. Ericson stated that the Board is in the process of

hiring a consultant (Beth Greenblatt) to follow through with this project. The group thanked the Board for letting them come in to present their information and voice their concerns. [#2]

#### Kinder Morgan access to Town Property for surveys

Motion 15-61. Motion made by Robert Ericson to not allow Kinder Morgan access to Town property for surveys, seconded by Henry Sayers. Unanimously voted.

#### Ad Hoc Berkshire County Educational Study Committee / Pre-K/K Playground Issue

James Moriarty and Regina DiLego came before the Board on behalf of the Lanesborough Elementary School Committee. Ms. DiLego stated that the Committee is concerned about the Pre K-K playground area and the costs associated with public use and asked the Board if they would like the school to lock it. John Goerlach asked if the sandbox in the playground could be locked. Ms. DiLego stated that they are looking into that. Ms. DiLego presented the Board with information relative to the Ad Hoc Committee and invited them to attend a meeting on June 1<sup>st</sup> at Lee High School to look into sharing services and costs with other entities to make things more affordable. Richard Cohen came before the Board. Mr. Cohen stated that he had sent an email to the Finance Committee regarding his concerns relative to the reserve fund that was created and stated that in his opinion it is not consistent with State Law and should not be managed by the Finance Committee. Mr. Sieloff stated that the Finance Committee and the Selectmen voted in the recent budget to not segregate the reserve fund into two sections. Mr. Sieloff also stated that this eliminates any issues in relation to this matter. Mr. Cohen thanked the Board for the clarification. [#3]

#### Proposed Increase Town Clerk Fees – Revised Dog Application (Rabies Certification fine)

Mr. Sieloff presented the Board with a list of proposed increases to the Town Clerk's Fees. Mr. Sayers stated that he thought the fees were just recently increased. Town Clerk Ruth Knysh stated that these fees have not been increased in the last two years since she has been Town Clerk. Motion 15-63. Motion made by Henry Sayers to approve the increase to the d/b/a license fee from \$35 to \$50, the increase to the male and female dog license fee from \$15 to \$20, implement the fee for the List of Voters, List of Residents and List of Streets of \$30 per paper copy and \$20 for electronic copy, and the implementation of failure to provide proof of rabies certificate fine of \$25, and to keep all other fees the same, seconded by Robert Ericson. Unanimously voted. [#4]

#### Proposed Collar City Auction Contract

Mr. Sieloff presented a proposed contract to the Board. Mr. Sayers asked if there would be minimum bid requirement. Mr. Sieloff stated there would be and the Town would have the right to reject any bid. Mr. Goerlach asked where the right to reject any bid was in the contract. Mr. Sieloff stated that it would be added by Town Counsel. Mr. Sieloff asked the Board to vote to authorize the Chair to sign the contract once the additional language was added by Town Counsel. Motion 15-64. Motion made by Henry Sayers to accept the Collar City Auction contract with the condition that Town Counsel presents a cover sheet guaranteeing the right to reject all bids and to authorize the Board Chair to sign the contract, seconded by Robert Ericson. Unanimously voted. [#5]

#### Quarterly review of Board's Open Projects List

Mr. Goerlach would like to add Sunrise Street patching – Water District and Highway Department issues to the list and place this item on the next Agenda. [#6]

#### Annual Town Meeting Warrant

Mr. Sieloff presented the Board with a revised Warrant for their review with Articles that have not yet been approved. Motion 15-65. Motion made by Henry Sayers to add Article F to the Town Warrant as revised and recommend it, seconded by Robert Ericson. Unanimously voted. Mr. Sieloff informed the Board that more information is needed from Town Counsel on Articles K, O and X and asked the Board to hold a meeting on May 26<sup>th</sup> to vote on these Articles. Motion 15-66. Motion made by Robert Ericson to add Article Q to the Town Warrant as revised and recommend it, seconded by Henry Sayers. Unanimously voted. Motion 15-67. Motion made by Robert Ericson to add Article V to the Town Warrant as revised without recommendation by the Board, seconded by Henry Sayers. Unanimously voted. Motion 15-68. Motion made by Henry Sayers to add Article W to the Town as revised without recommendation by the Board, seconded by Robert Ericson. Unanimously voted.

Motion 15-69. Motion made by Henry Sayers to add Article Y to the Town Warrant as revised without recommendation, seconded by Robert Ericson Unanimously voted. Motion 15-70. Motion made by Henry Sayers to add Article Z to the Town Warrant as revised without recommendation, seconded by Robert Ericson. Unanimously voted. Article AA on the proposed Town Warrant is being withdrawn by the Board.[#7]

#### Proposed Police Chief Contract

Mr. Sieloff stated that he is waiting to hear from the Town's labor attorney and will place this item on the second Agenda in June.

#### Police Station Roof Project

Mr. Sieloff stated that the DPW Director has not obtained the three quotes for the projects. This item will be placed on the next Agenda to follow up.

#### Waterline Materials & Directional Drilling Contracts

Mr. Sieloff presented the Board with proposed bid documents relative to directional drilling on Orebed Road which were obtained from Berkshire Engineering. Mr. Sieloff would like the Board to authorize the Chair to sign the contract once it is received. Mr. Goerlach would like to have test holes completed on Item Nos. 1 & 2. Mr. Sieloff will have the DPW Director call Mr. Goerlach. Mr. Goerlach stated that he would like Mr. Sieloff to make it a priority to send letters to residents who will hook into the water line. Mr. Sieloff stated that the Board needs to speak with the Water Department to get answers relative to work being done and their availability. Motion 15-71. Motion made by Henry Sayers to have the Board Chair sign the Directional Drilling Contract, seconded by Robert Ericson. Unanimously voted. [#8]

#### Other business which could not have been reasonably foreseen within 48 hours of the meeting.

None.

#### Selectmen's Items

Mr. Ericson stated that the Energy Committee is putting in for a Municipal Energy Technical Assistance Grant to pay for the fee associated with hiring Beth Greenblatt relative to the proposed solar project. Motion 15-72. Motion made by Robert Ericson to allow the Energy Committee to apply for the Municipal Energy Technical Assistance Grant to cover the cost of the consultant fee for the solar project, seconded by Henry Sayers. Unanimously voted. Mr. Ericson updated the Board as to the evaluation of Town Hall by the Energy Committee and presented the Board with a copy of its recommendations. Mr. Sayers asked about the Animal Control Officer's vehicle and if it needed to be replaced. Mr. Sieloff told the Board that the vehicle is not able to be used due to many repairs needing to be made and the Animal Control Officer (ACO) is using his personal vehicle and submitting mileage. Mr. Sieloff stated that two police officers have expressed interest in the job once the current Animal Control Officer retires at the end of the year. Mr. Sayers stated that the ACO will not put road kill in his personal vehicle. Mr. Sayers asked about the possibility of having one vehicle for use by ACO and the Police Department. Mr. Sayers stated that he will keep an eye out for a replacement vehicle. Mr. Sieloff stated that he will check into the possibility to replace this vehicle. Mr. Goerlach asked about a parking ordinance relative to V's Doghouse. Mr. Sieloff stated that Acting Police Chief Sorrell is going to coordinate with the DPW Director about adding no parking signs in that area. Mr. Sieloff stated that in order tow vehicles there has to be a town bylaw and that he would check into this. [#9]

#### Town Administrator Report

Mr. Sieloff stated that the Finance Committee approved the Articles at their last meeting and approved the additional monies to Mount Greylock Regional High School that the Board voted not to approve. Mr. Sayers stated that he did not believe the additional money should be taken out of free cash. Mr. Sieloff stated that the Committee voted to take this money out of free cash. Mr. Sayers stated that he was very disappointed that the Finance Committee did not back the Board.

Executive Session – To enter into executive session pursuant to M.G.L. c. 30A, s. 21(a) (2) to conduct strategy sessions in preparation for negotiations with nonunion personnel and in regard to lawsuits.

None.

Adjournment

Motion to adjourn meeting made by Henry Sayers, seconded by Robert Ericson. Unanimously voted.  
Meeting adjourned at 8:37 p.m.

Footnotes:

- [#1] Use of Town Property or Notification to Town of Community Event
- [#2] Town of Lanesborough: Citizen's Petition Form & Boston Globe Article
- [#3] Ad Hoc Berkshire County Educational Study Committee Information
- [#4] Proposed Town Clerk Fees – Revised Dog Application
- [#5] Proposed Collar City Auction Contract
- [#6] Board of Selectmen's Open Projects List
- [#7] Proposed Annual Town Meeting Warrant
- [#8] Direction Drilling Information
- [#9] Energy Committee's Evaluation of Town Hall