

TOWN OF LANESBOROUGH SELECTMEN'S MEETING

Submitted by Diane Stevens, Town Secretary

August 24, 2015

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

Warrants: Warrant Signed

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

Public Comment

Ron Tinkham and Paul Soroken from Sunrise Street reported to the Board that there has been no activity on their street from the Water District. Mr. Soroken stated that there are water drainage problems and presented the Board with a picture showing large pools of water. Mr. Goerlach asked if the water is missing a catch basin on the other side of the road. Mr. Tinkham stated that the shoulder has not been restored. Mr. Goerlach asked if the engineer, Mike Kulig has seen the picture and asked how long it takes for this water to drain. Mr. Soroken said it takes hours to drain off excess water. Mr. Sieloff stated that the Highway Department is working on many projects and that Mr. Kulig has been to the site twice and has been meeting with the DPW Director and that something will be done in the next couple of months. Mr. Sieloff stated that the waterline project is still underway which is a priority and that Mr. Kulig is also working on drainage issues on Sunset Street. Mr. Tinkham stated that some of the residents on the street are summer residents and the Town needs to get their permission to go on their properties while they are here. Mr. Soroken stated that he is worried that work will not get completed properly before the road is paved. Mr. Sieloff stated that the road will not be paved before next summer.

Michelle Johnson came before the Board regarding the letter the Town received about the possibility of sending the Town's students to Hoosac Valley High School. Ms. Johnson stated that she had concerns regarding this proposal and thinks that they should be going through the School Board not the Select Board. Ms. Johnson stated that Hoosac Valley is a Level 3 school and Greylock is a Level 1 school and that this is a factor when purchasing a home in Lanesborough. She urged the Board to think about these issues when going to meeting on Thursday.

Mr. Sieloff read a Certificate from the State Senate recognizing Lanesborough on the celebration of its 250th Anniversary. Mr. Sieloff spoke to several attendees and then reported about the success of the Pontoosuc Flotilla event which took place on Saturday. He reported that 18 decorated boats were in the boat parade and that an estimated 700-800 spectators came to the event. Mr. Sieloff noted the two final events for the 250th celebration which include a hike on Constitution Hill on September 13th which begins at the Library at 1:00 p.m. and the Grand Finale at the Berkshire Mall on October 18th from 4:00 – 7:00 p.m. and that memorabilia is available at the Library and Town Clerk's office.

Permit(s) / Contract(s) / Use of Town Property or Notification to Town of Community Event / Appointment(s)
Zucchini's Restaurant – One Day Temporary Liquor License

Representatives from Zucchini's Restaurant came before the Board to obtain a One Day Wine and Malt Temporary Liquor License for an event on August 29 at 133 Balance Rock Road. Chief Sorrell stated that the owners of the property contacted the station to schedule a detail officer. Motion 15-128. Motion made by Robert Ericson to approve the One Day Temporary Wine and Malt Liquor License of Zucchini's Restaurant from 2:00 to 7:00 p.m. on August 29, 2015, seconded by Henry Sayers. Unanimously voted. [#1]

Election Worker Appointments

Mr. Sieloff presented a letter from the Town Clerk requesting the Board to appoint Election Workers for the upcoming year. In the letter Town Clerk Knysh also asked the Board to authorize her to make emergency election worker appointments, if necessary. Motion 15-129. Motion made by Robert Ericson to appoint Election Workers as listed in the August 17, 2015 request from the Town Clerk and to authorize her to be able to appoint emergency election workers, if necessary, seconded by Henry Sayers. Unanimously voted. [#2]

Historical Commission Appointment – Kenneth Mick

Kenneth Mick of 39 Bailey Road came before the Board to express his interest in volunteering to serve on the Historical Commission. Motion 15-130. Motion made by Robert Ericson to appoint Kenneth Mick to the Historical Commission, seconded by Henry Sayers. Unanimously voted. [#3]

Remove Robert Rubin and appoint Ron Tinkham as Berkshire Regional Planning Representative

Mr. Sieloff reported that the representative to the Berkshire Regional Planning Representative also has to be a member of the Planning Board and asked that the Board appoint Ron Tinkham. Motion 15-131. Motion made by Robert Ericson to appoint Ron Tinkham as Berkshire Regional Planning Representative, seconded by Henry Sayers. Unanimously voted.

Northern Berkshire Solid Waste Management Bulky Waste Clean Up Day / September 19 / 12:00 – 3:00 p.m.

Mr. Sieloff reported that he had spoken with Sandy Totter from the Northern Berkshire Solid Waste Management District. Ms. Totter proposed to Mr. Sieloff a date of September 19th from 12:00 to 3:00 p.m. at the Town Highway Garage. The Board agreed to the date and stated that they will try to attend. Mr. Tinkham asked Mr. Goerlach if the Town was going to open the landfill area for the added refuse in the fall. Mr. Goerlach stated that they can for leaves and branches and such and asked Mr. Sieloff to talk to DPW Director Decelles to get a date. Mr. Sayers stated that there has not been enough interest in the last couple of years to warrant keeping it open and paying someone to be there for the day. Mr. Goerlach asked Mr. Sayers if he could put a dumpster at the Highway Department. Mr. Sayers stated that he would do that if the waste could then be dumped at the landfill. Mr. Sayers stated that maybe this could be done the same day as the Bulky Waste Day. Mr. Sieloff stated that he will talk to the DPW Director.

Appeal of Parking Violation Notice No. 6021

Chief Sorrell appeared before the Board on behalf of the Police Department relative to Parking Violation Notice No. 6021 which was issued to Svetlin Dinovski. Mr. Dinovski came before the Board to dispute this notice. Mr. Sayers asked if Mr. Dinovski parked in the spot next to bike rack. Mr. Dinovski stated that he did but there is not proper signage showing that it is not a parking place. Chief Sorrell stated that the reason Officer Rathbun issued the ticket is because people were complaining that they could not get into the bike rack. Mr. Sayers would like to notify the State to properly mark that it is not a parking place. Chief Sorrell stated that he would defer to the Board's decision. Mr. Ericson stated that the fine should stay as it is clearly not a parking place. Motion 15-127. Motion made by Henry Sayers to dismiss Parking Violation Notice No. 6021, seconded by John Goerlach. Robert Ericson opposed. Motion carried 2-0. [#4]

Narragansett Avenue neighborhood issues relating to chickens and other fowl

Mr. Goerlach stated that they are still working on the issue and asked Chief Sorrell if he had any information. Chief Sorrell stated that he has many log entries of disturbances reported in this area. Officers have made note of the foul odor coming from the birds. The Board of Health stated that there are no violations. Chief Sorrell stated that the chickens are coming into the pool area on to the Gable family's side of the fence and that a trespass order has been served on Ms. Zaks by the Gables and a fine of \$10 per offense per animal can be assessed. Chief Sorrell stated that the MSPCA Officer said that the animals are healthy and suggested reducing the number and also suggested ways of removing feces. Chief Sorrell stated that the Police Department is limited to what they can do. Mr. Goerlach stated that Town Counsel has advised that residents can report noise disturbances in writing. Chief Sorrell stated that he believes that the noise ordinance does not apply to ducks. Mr. Goerlach stated that the Right to Farm Bylaw does not apply to this incident and that the zoning is not clearly written. Mr. Sieloff stated they are working on resolving this issue and will look to address this at the next Town Meeting to add to the General Bylaws. Chief Sorrell stated that the Police Department will continue to respond to calls. Mr. Goerlach would like them to keep track of the smell. Chief Sorrell stated that they did talk to the Conservation Commission about this issue.

Chief Sorrell told the Board that the Police Department had been awarded a grant for new defibrillators in the cruisers. He stated that the Department will receive the money at the end of the year. Mr. Goerlach asked about the problems with the K-9 vehicle and if there was money in the budget to repair it. Chief Sorrell stated that there have been over

\$2,000 in repairs in last month but the vehicle still needs more work. Chief Sorrell stated that Officer Rathbun has raised about \$4,000 for the K-9 account. Mr. Goerlach asked Chief Sorrell to keep the Board posted as to how much repairs to this vehicle will be. Chief Sorrell stated that he will and informed the Board that he is also working on getting the new Animal Control vehicle up and running.

Sunrise Street Patching and Drainage Issues

This matter was discussed during public comment.

Equipment Rentals Bids for FY 2016

DPW Director Decelles submitted a Memorandum dated August 20, 2015 to the Board listing the winning equipment rental bids for FY2016. Motion 15-132. Motion made by Robert Ericson to award the Equipment Rental Bids as listed on the August 20, 2015 Memorandum from DPW Director William Decelles, seconded by Henry Sayers. Unanimously voted. [#5]

New Street Light Removal Proposal – Energy Committee

Mr. Ericson asked to continue this until the next meeting. [#6]

Proposed Increase in Plumbing & Gas Fees – Commercial Properties

Mr. Sieloff presented the Board with a revised Plumbing & Gas Fee Schedule, which included a fee of \$100 for inspection of commercial properties, for their review and approval. Mr. Sayers stated that he had spoken to the plumbing inspector and that he will go with what the Board decides but does not support the increase. Mr. Sayers stated that he would like to revisit this in a year. Mr. Sieloff stated that he will put this on an Agenda.

Baker Hill Road District Road Maintenance Agreement Amendment

Mr. Sieloff presented the Board with a proposed Baker Hill Road District Road Maintenance Agreement Amendment for their review and approval. Mr. Sieloff stated that this amendment will allow the DPW Director to manage the additional services and charge the Baker Hill Road District for services rendered plus a 10% administrative fee. Mr. Goerlach asked about the \$5,000 limit. Mr. Sieloff stated that there is a limit as to how much the Town can charge without permission. Mr. Ericson asked if this would put a burden on DPW Director Decelles and the Highway Department. Mr. Goerlach said that it would not. Motion 15-133. Motion made by Henry Sayers to accept the First Amendment to Road Maintenance Services Agreement between the Town of Lanesborough and the Baker Hill Road District Road Maintenance services, Dated July 1, 2014, seconded by Robert Ericson. Unanimously voted. [#8]

Chapter 90 Reimbursement

Mr. Sieloff presented the Board with Chapter 90 Reimbursement Requests from DPW Director Decelles for the review and signature. The Board reviewed the paperwork and executed the requests for submission to Mass. DOT.

Approve Deprecation Schedule for Berkshire Wind Pilot Agreement

Mr. Sieloff presented the Board with the Depreciation Schedule for the Berkshire Wind Pilot Agreement which he received from Town Counsel. Mr. Sieloff asked the Board to review the schedule and execute the Agreement. Mr. Goerlach asked why there is a depreciation schedule. Mr. Sieloff stated that it is necessary with personal property to list the items and show the depreciation. Mr. Sieloff stated that there is an obligation in the document for Berkshire Wind to supply the Town with a list of changing inventory. Motion 15-134. Motion made by Robert Ericson to approve the Depreciation Schedule for the Berkshire Wind Pilot Agreement, seconded by Henry Sayers. Unanimously voted. [#10]

Dock Bylaw Committee – Rescind appointments and eliminate committee proposal

Mr. Sieloff stated that he has been contacted by the Attorney General's Office regarding a complaint that was filed relative to this Committee and asked the Board to consider voting to rescind the appointments and eliminate this Committee. Mr. Sieloff stated that this committee is no longer needed as the proposed Bylaw was voted down at Town Meeting. Mr. Sieloff stated that the Committee could be brought back at a later date if needed.

Motion 15-135. Motion made by Henry Sayers to rescind the appointments of the members of the Dock Bylaw Committee and eliminate the Committee, seconded by Robert Ericson. Unanimously voted.

Other business which could not have been reasonably foreseen within 48 hours of the meeting. None.

Selectmen's Items

Mr. Ericson stated that he found drawings of the Town Hall in the vault dated from 1987 and he is using them as a basis for the insulation project. Mr. Ericson stated that these drawings are the property of Barry Architects and they would like the Board to sign a waiver to relieve them of any liability. Mr. Ericson stated that there is no charge for this waiver. John Goerlach signed the waiver as Chair of the Board. The Board spoke about ways to conserve energy in other Town buildings which Mr. Ericson has been working on with the Energy Committee. Mr. Sayers asked Mr. Sieloff to follow up on Rockwell Road and also to contact the State relative to properly marking the parking place at the bike trail. Mr. Sayers would also like something placed on the Agenda to have Finance Committee meetings filmed during budget discussions. Mr. Goerlach asked Mr. Sieloff for an update on the water line on Orebed Road. Mr. Sieloff stated that the DPW Director reported that they have completed the main line and they have finished pressurizing and chlorinating it. Mr. Sieloff stated that 3 of the 5 targeted homes have agreed to hook up to this new water line and he is working with Town Counsel to get licenses in place to accomplish this. Mr. Sieloff stated that houses may be able to connect later this week. Mr. Sieloff asked the Board if they wished to pave further down road when the project is finished. Mr. Goerlach stated that they should just pave what was in existence as it is not fair to pave more of that road. Mr. Goerlach and Mr. Sayers stated that the road is very soft and it will cost much more money due to drainage issues. Mr. Goerlach asked Mr. Sieloff to get a price for the extra paving and bring it back to the Board. Mr. Sieloff stated that he will talk to the DPW Director about this. Mr. Goerlach announced that there have been many house break-ins and urged residents to call the police if they see any suspicious vehicles. Mr. Goerlach stated that they will report back if they receive any other information.

Town Administrator Report

Mr. Sieloff spoke about the letter from the Towns of Adams and Cheshire relative to possible school district cooperative opportunities. Mr. Sieloff stated that this is a very preliminary informational meeting and that a letter is being mailed to everyone in Town for an open discussion on Thursday at 6 p.m. at Hoosac Valley High School. Mr. Sieloff stated they would like Town leaders to attend. Mr. Sieloff also informed the Board that there is a meeting about Mount Greylock on Wednesday at 6 p.m. at the elementary school to talk about the building project and the benefits of the current district arrangement. Mr. Goerlach asked Mr. Ericson if the new high school was being designed to accommodate accepting students from other districts. Mr. Ericson spoke about the different options that were discussed.

Approve Minutes

Motion made by Henry Sayers to approve the Minutes of July 27, 2015, seconded by Robert Ericson. Unanimously voted. Motion made by Henry Sayers to approve the Minutes of August 10, 2015, seconded by John Goerlach. Motion carried 2-0. Robert Ericson abstained from vote.

Adjournment

Motion made by Henry Sayers to continue this meeting to the Wednesday and Thursday school meetings, seconded by Robert Ericson Unanimously voted.

Footnotes:

- [#1] One Day Temporary Liquor License – Zucchini's Restaurant
- [#2] Town Clerk Election Work Appointment Request Letter
- [#3] Lanesborough Citizen Interest Form – Kenneth Mick
- [#4] Parking Ticket Violation No. 6021 and supporting documentation
- [#5] DPW Director Memorandum dated August 20, 2015 – Equipment Rental Bids
- [#6] Street Removal Proposal – Energy Committee
- [#7] Proposed Plumbing & Gas Fee Schedule
- [#8] Baker Hill Road District Road Maintenance Agreement Amendment
- [#9] Chapter 90 Reimbursement Request
- [#10] Proposed Berkshire Wind Pilot Agreement Depreciation Schedule