

TOWN OF LANESBOROUGH SELECTMEN'S MEETING

Submitted by Diane Stevens, Town Secretary

October 5, 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 from Sunrise Street came before the Board to discuss the Freedom of Information Act and its updates. At a recent MMA legislative meeting Mr. Tinkham attended in Dalton he made the recommendation to the group that electronic data from towns' webpages be exempt from the Act; he received favorable comments from the legislators and neighboring towns. Mr. Tinkham asked the Board if they would back his recommendations to the MMA. Mr. Goerlach asked why the Board should do this. Mr. Sieloff stated that Mr. Tinkham is recommending that anything currently available on the website would not have to be provided to those requesting the information from the Town because it would be readily available. Mr. Tinkham stated that the Town should try to put as much information on the website as possible. Mr. Sieloff stated that this has been one of the Town's highest priorities for the past three years. Mr. Tinkham would also like to propose that all non-committee decisions made without a quorum be exempt from the Freedom of Information Act. Mr. Sieloff stated this would be harder to approve. Mr. Goerlach asked Mr. Tinkham to give a list of what he is proposing to the Board so they can review it. Mr. Tinkham stated that he would discuss the matter further with Mr. Sieloff.

Robert Barton from Kessler Road came before the Board to discuss the 250th Grand Finale celebration on October 18th at 4 pm at the Berkshire Mall. Mr. Barton stated that 250th Anniversary Book has been received; 500 copies were printed and 110 have been sold. The cost per book is \$20 and is currently available for purchase in the library. Copies can be mailed for an additional fee of \$4. Mr. Barton stated that he understands that the Greylock School Committee is considering making changes to the Regional Agreement between Williamstown and Lanesborough. Mr. Barton presented the Board with four (4) suggestions he would like to see added to this proposal including 1) put reasonable cap on the amount Lanesborough will contribute to the cost of renovating the high school 2) change the agreement so it allows us to tuition students to the high school a parent chooses 3) change the agreement so it allows us to include 7th and 8th graders in Lanesborough School when this is educationally and financially best for our students and town and 4) include all properties in EQV – don't exempt non-profits. Mr. Tinkham stated that he believes the proposal should include school choice. [#1]

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

Heavy Vehicle Use Permit – Churchill/Potter Mountain Road

A Heavy Vehicle Use/Temporary Access Permit was filed by Jerry Cloutier for property located on Churchill/Potter Mountain Road which was presented to the Board. Resident Ray Jones stated that the Town should require a bond or a deposit from these businesses before work begins. Mr. Goerlach stated that these are two newly paved roads and a bond should be required. Motion 15-150. Motion made by Robert Ericson to approve the Heavy Vehicle Use/Temporary Access Permit and removal of trees relative to Map 240, Lot 24, with the conditions recommended by the DPW Director dated October 5, 2015, and the requirement that a \$10,000 bond be obtained, seconded by Henry Sayers. Motion carried 3-0. Mr. Goerlach would like a bond to be placed on any future Heavy Vehicle Use permit applications. [#2]

Opening of gate at Potter Mountain Road for Hunting Season

Mr. Sayers spoke with the DPW Director and Potter Mountain Road is not ready to be opened and if it is there could be significant damage made to the area. Mr. Sieloff's recollection of last year was that the State asked the Town to close the gate due to vandalism. No decision was made by the Board.

Approval of Certificate of Physician Registration – Town Clerk

Mr. Sieloff conveyed to the Board that this registration needs to be filed with the Town Clerk by all physicians practicing within the Town and asked the Board for their approval. Mr. Sieloff stated that there is a one-time filing fee of \$25. Motion 15-151. Motion made by Robert Ericson to approve the Certificate of Physician Registration with a fee of \$25, seconded by Henry Sayers. Motion carried 3-0. [#3]

Approve Entertainment License Application

Mr. Sieloff presented the Board with a proposed Entertainment License Application with the changes requested by the Board at their last meeting relative to fireworks. Motion 15-152. Motion made by Henry Sayers to approve the Entertainment License Application, seconded by Robert Ericson. Motion carried 3-0. [#4]

Proposed Agricultural Committee Bylaws

Mr. Sieloff presented the Board with proposed Bylaws for the Agricultural Committee. Motion 15-153. Motion made by Robert Ericson to approve the Agricultural Committee Bylaws, seconded by Henry Sayers. Motion carried 3-0. [#5]

Quarterly review of Board's Open Projects List

Mr. Sieloff presented the Board with an updated Open Projects List for their review. The Board reviewed the list and made their recommendations. Mr. Goerlach would like to add the bond requirement for the Heavy Vehicle Use Permit Application as #55. The Board would like this added to the next Agenda for additional review. [#6]

Mount Greylock School Agreement – Capital Assessment Formula

Carrie Greene came before the Board on behalf of the Mount Greylock School Committee to further discuss the Capital Assessment Formula. Ms. Greene stated that the Committee agreed that a five year rolling enrollment average would be the most equitable going forward. Mr. Ericson stated that even with equalized stabilization Lanesborough would have difficulty as Williamstown has the Clark Art and Williams College and Lanesborough has no such entities to help contribute. Ms. Greene stated that Williams College contributes to Mount Greylock on an annual basis which benefits both towns and the School Committee is responding to requests to make it more equitable for both towns. Mr. Goerlach asked Ms. Greene if she had a comparison to what Williamstown pays as opposed to Lanesborough. Mr. Goerlach stated that Lanesborough has been approached by another school district and would like to see the savings for Lanesborough in its budget with the new Agreement. Mr. Sayers stated that Lanesborough cannot afford the increases the school keeps requesting. Ms. Green stated that Williams College is looking at carbon offsets to reduce energy costs. Mr. Sayers asked Ms. Greene about the changes that were being proposed. Mr. Sayers did not like that both towns would have to vote in order to leave the district. Mr. Sieloff stated that two-thirds of the Town's budget goes towards the education budgets and with the new high school proposal it will likely make the Town have the highest tax rate in Berkshire County. Mr. Sieloff made some suggestions to help benefit the Town and asked Ms. Greene to please look at lowering the total cost to the Town and decreasing the size of the new school by not accepting so many out of town students through choice or tuition agreements. Mr. Sieloff stated that Lanesborough needs some relief and believes that a \$70 million proposal may be turned down even though the school needs rehabilitation. Ms. Greene stated that she believes there is not enough time to discuss proposed changes before the vote. Mr. Sieloff stated that the Town has only seen numbers over the last couple of months and that is why the Town is making suggestions. Mr. Goerlach believes it will not pass with a Town vote if it is not fair and equitable to the Town. Ms. Greene will bring these recommendations back to the School Committee. Ms. Greene stated that the Town's Finance Committee is meeting tomorrow night to discuss some of these issues. Mr. Sieloff stated that they will discuss the matter further at the Finance Committee meeting. Mr. Sieloff stated that he would make himself available if Ms. Greene would like him to come to School Committee Meetings to discuss the proposed three changes of the Board of Selectmen. The Board agreed to propose that the Mount Greylock Agreement be modified by 1) eliminating the fixed interest rate for the project bond and instead use a five year rolling average of a 50/50 ratio of equalized valuation and enrollment percentage by Town and 2) that the value of tax exempt properties would be included in the valuation totals and 3) that elementary choice students would be part of the enrollment total for each town when these students went to Mount Greylock. Ms. Greene gave the Board some information to review and stated she would send the Board a spreadsheet with the numbers they are requesting. [#7]

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

None.

Selectmen's Items

None.

Town Administrator Report

None.

Approve Minutes

Motion made by Henry Sayers to approve the Minutes of September 28, 2015, seconded by Robert Ericson.
Motion carried 3-0.

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

Motion made by Robert Ericson to go into executive session at 7:04 p.m. pursuant to G.L. c. 30A, s21(a)(3) to discuss strategy with respect to litigation in the ATB matter of COMM 2005-FL10 Berkshire Mall, LLC, c/o Strategic Asset Services, LLC, v. Board of Assessors of the Town of Lanesborough and the Baker Hill Road District, seconded by Henry Sayers. Motion carried 3-0. Mr. Ericson, aye; Mr. Sayers, aye; and Mr. Goerlach, aye.

Adjournment

Motion to adjourn meeting made by Robert Ericson, seconded by Henry Sayers. Motion carried 3-0. Meeting adjourned at 8:35p.m.

Footnotes:

- [#1] Robert Barton – Mount Greylock Regional Agreement options
- [#2] Heavy Vehicle Use Permit – Churchill/Potter Mountain Road
- [#3] Proposed Certificate of Physician Registration
- [#4] Proposed Entertainment License Application
- [#5] Proposed Agricultural Committee Bylaws
- [#6] Board of Selectmen Open Projects List
- [#7] Mount Greylock Regional High School Attachments