

**Lanesborough Board of Health  
Minutes for Meeting November 15, 2010**

**In Attendance:** May Hickey, Francisca Hemming, Nancy Boudreau

Also in attendance: Sandy Totter of Norther Berkshire Solid Waste District,  
Arron and Kyle Delmolino of Delmolino and Son's  
Kilian Flynn of Allied Waste Services  
Glenn Bean

1. Discussion with trash haulers regarding recycling, permitting and regulations. LBOH will explore new methods for permitting, and consider new regulations.
2. Town of Lanesborough v. Peter Beaudoin. November 10, 2010 Case No. 08CV1487

AGREEMENT OF THE PARTIES

1. Court shall find the Defendants in contempt of the Orders dated 10/13/08 and 5/13/09.
2. Payment of \$5,000 for expert fees to be made no later than 12/31/10.
3. Payment of balance of cost of expert fees within thirty (30) days written notice from Plaintiff's counsel of actual cost of expert. Testing is expected to be conducted in the Spring of 2011.
4. Payment of Plaintiff's reasonable attorney's fees and costs to be submitted to the Court within twenty (20) days of the date of this order.
5. Defendant to cease and desist from all motorcross activity at subject Premises during the pendency of this action pursuant to the Orders of the Court dated 10/13/08 and 5/13/09.
6. If the parties are not able to resolve the reasonable attorney's fees and costs discussed in Paragraph 4 above, Plaintiff's counsel shall file a petition for said fees and costs and the defendants shall file an opposition thereto within 20 days of said submission to the court.

After the court session ended, Town Attorney Gary Brackett met informally with the North Street residents who had attended the hearing. He said that if Beaudoin does not honor the court order, he, Brackett, would be immediately back in court to press for enforcement of the court order. The residents present, about 6 to 10 of them, said they thought Beaudoin would not honor the agreement as, they said, he has not honored past agreements. They were disappointed that Judge Field was not more assertive in his decision.

May Hickey \_\_\_\_\_ Date \_\_\_\_\_  
Francisca Heming \_\_\_\_\_ Date \_\_\_\_\_  
Nancy Boudreau \_\_\_\_\_ Date \_\_\_\_\_

