

Selectboard Minutes
July 9, 2012

Meeting opened at 7:05pm

Present: Noreen Suriner, Chair; Alan Vint, Clerk; Mitch Feldmesser
Duane Pease, Administrative Assistant

Warrants were reviewed and signed: \$5,466.55 & \$1,596.80 for payroll; expenses:
\$9,743.93

Also in attendance were Gerry Garner, Building Commissioner (BC); Jackie Duda, Health Agent (HA); Terry Crean, Zoning Board of Appeals (ZBA) chairman and Maryann Walsh.

Maryann Walsh had requested a meeting with the above to discuss her efforts to open a General Store at her location on Skyline Trail. She had questions as to what she needs to do to satisfy the various boards and departments.

Gerry said it all starts with the building permit application; he will review the application, look at the applicable zoning and then either approve or deny her application. Any appliances in use will also be under his jurisdiction and Jackie will have the say on the food preparation.

Gerry also said if food is prepared on-site, a fire suppression system is needed. There are certain types of appliances that are UL approved that have built in suppression systems. As far as he was concerned, she could cook off-site and bring it into the store.

Jackie said she would like to meet with her prior so she can approve the kitchen plan; her concern is with food borne illnesses.

Alan advised everyone should always go to the BC first and if the permit is denied due to zoning issues, it can be appealed to the ZBA.

Mitch stated if the ZBA approves, it then goes back to the BC for approvals..

Noreen asked if she chose to add on later, what the requirements would be.

Gerry said she would have to return to him for a new permit. He also advised if the products were consumed in the store, it would trigger handicap requirements for a bathroom. As long as no foods were consumed on premises, this would not be triggered.

Jackie said any new use would require a septic system inspection.

Maryann said pre-permit she would have to go to the Treasurer, Conservation and Board of Health for sign-offs. She just wanted this meeting to get everyone on the same page as she goes forward and she appreciated the input from Gerry and Jackie.

Alan said the Selectboard has no say in determining the outcome and would be involved as the Board of Health.

Maryann thanked everyone and left.

Ray Gero asked the BC a question regarding his hope for a Class II auto license. He will complete the application and submit it to the BC.

Jackie advised the Board that the Crepeau property had passed its perc test, she had advised Mr. Crepeau he should hold off until the Building issue is resolved but he wanted to go forward with it. Also, his water tested okay.

Gerry said his water supply has to be on his property and that his property has no road frontage. He will be meeting with Mr. Crepeau in the future,

Jackie advised the Hudson's will be meeting with the BOH on 8/4. The Hudson's have removed the outhouse according to a neighbor.

Lee VNA submitted a contract for services to be signed. Noreen motioned to accept and sign, Alan 2nd, vote was 3-0. Contract was signed.

Since the Town does not have a delegate to Wired West, Noreen motioned to appoint Steve Harris, Mitch 2nd, vote 3-0 and Steve was appointed.

Highway Superintendent, Skip Savery, met with the Board, he received 2 bids on the new truck. It was advertised in the Central Registry as well as the Berkshire Eagle. The bids were within \$500 of each other and he recommended the Board approve the Delurrey Sales bid. There was an increase of \$9,000 due to his request for the stainless steel option that will eliminate painting. He checked with Kathy Stevens, MassHighway, and was advised he could use his Chapter 90 money for this. The total cost of the truck is \$184,975.

Noreen motioned to award the bid to Delurrey, Mitch 2nd; vote was 3-0 in favor.

Skip also said he had received 6 applications for the position on the Highway Dept. One of the applicants was Matt Radwich; he had left the Dept for a position in Hinsdale and now wanted to come back. He did leave under good circumstances, knows the roads and job and Skip recommended hiring him back.

Noreen motioned to hire Matt, Alan 2nd; vote was 3-0 in favor.

Skip said the Chester Highway Superintendent had offered him some road millings and he is going to send a truck to Chester tomorrow. He can use these on various gravel roads in town. He has mowed the road edges along Skyline Trail and will be doing weedwacking under the guardrail this week.

He will be cutting up the old water tank in the boiler room as well as moving the Big Belly compactors to the Transfer Station.

He also picked up a government surplus truck in Pennsylvania for \$1,500.

The Fair has asked if they could use the loader during the fair, the Board approved the use.

Lastly, he advised that the raises that went into effect on July 1st were \$1 dollar an hour for Ron Radwich and 3% for him. Noreen motioned to approve the raises, Alan 2nd; vote 3-0 in favor.

Joe Kearns, Finance Chair, advised the Board of transfers within the Highway Dept budget to cover the salary account. Transfers amounted to \$4,647.35. Also, \$280.06 was transferred from Health Insurance to the War Memorial account to cover the cost of mowing.

These transfers were approved on a 3-0 vote on motion by Noreen and 2nd by Mitch. Alan did voice concern of overspending the budgets.

A Vocational Educational bill was received from Pittsfield for a resident that moved to Town on 12/22, this may have to go to a Special Town Meeting to transfer available funds.

Alan checked with Ron Berenson regarding the former General Store and adjacent house, 168 & 166 Skyline Trail, and taking them for back taxes. Ron did not see any issue on taking 166 Skyline, 166 was not a Brownfield.

Noreen felt there needed to be a plan going forward on these properties

Mitch said there are no DEP liens on 166 and no contamination to the best his knowledge but we should take both and can't wait as Tax Title Takings can take as long as 7 years. The Town can develop a plan as the process is going along.

Alan said he is willing to go forward on both.

Noreen said the liens will have to be addressed

Alan said Kopelman & Paige would address the environmental and lien issues.

Alan motioned to move forward and take both parcels, Mitch 2nd; vote was 2-0 with Noreen abstaining.

Ron also believes the McGrath property taxes may be paid off.

Alan spoke with Eric Weiss regarding the other aspects of the Green Grant, the Solar Walk Though was held today.

MBI also ran the fiber optic cable to the building today.

Judy Artioli has complained about speeding through the center of town, Board will check with Police Chief to see if more coverage can be arranged in the morning.

There was a brief discussion on the attorney's defending the Town, who does the Town want to defend if MIIA declines to provide defense when the revised complaint is filed. Does the Town retain Nancy Pelletier or use Jonathan Silverstein of Kopelman & Paige

Noreen motioned to invite Silverstein to meet in Executive Session if and when the complaint is filed. Mitch 2nd, vote was 3-0 in favor.

Alan also suggested a conference call could be held in Executive Session as another option.

Noreen motioned to adjourn, Alan 2nd, vote was 3-0 and meeting adjourned at 9:36pm.

Minutes respectively submitted by:

Duane Pease
Administrative Assistant

Minutes accepted with/without changes

Noreen Suriner, Chair

Alan Vint, Clerk

Mitch Feldmesser