

**TOWN OF SHEFFIELD
BOARD OF SELECTMEN
JUNE 16, 2014
TOWN HALL
7:00 PM**

Board Members Present: David A. Smith, Jr., Chairman
Nadine A. Hawver, Clerk
Rene C. Wood

Others Present: Rhonda LaBombard, Town Administrator
Alicia Dulin, Assistant to Town Administrator

Members of the public

Chairman Smith called the meeting to order at 7:00 PM

APPROVAL OF MINUTES:

Selectman Wood moved to approve meeting minutes from the May 19, 2014, May 27, 2014 and June 2, 2014 meetings, seconded by Selectman Hawver. The motion carried unanimously.

PUBLIC HEARING – WINE AND MALT BEVERAGE LICENSE – DEWEY MEMORIAL HALL, INC.:

Chairman Smith opened the public hearing at 7:02 PM. Administrator LaBombard stated that there might have been a problem with the hearing notice and she would like to speak to the Building Inspector regarding changes that might have to be made to the building before continuing the hearing. She stated that she would like the hearing to be continued until the next meeting. Selectman Wood moved to continue the public hearing on a wine and malt beverages license for Dewey Memorial Hall, Inc. until June 30, 2014 at 7:00 PM, seconded by Selectman Hawver. The motion carried unanimously.

Chairman Smith stated that number three on the agenda would be delayed because Kirt Mayland had not arrived yet.

KINDRED GR8T ROAD RACE APPROVAL:

Administrator LaBombard described the 8 mile race scheduled for Sunday, August 16, 2014, which will start at 8:00 am in Great Barrington and go through Sheffield. A police officer will be present to direct traffic at the Route 7 crossing. Selectman Wood moved to approve the road race as presented, seconded by Selectman Hawver. The motion carried unanimously.

CURB CUT – 22 KELLOGG ROAD:

An application was submitted for a curb cut permit for 22 Kellogg Road. Administrator LaBombard stated that the application has been signed by the Police Chief and the Highway Superintendent. Selectman Wood moved to approve the curb cut permit as presented, seconded by Selectman Hawver. The motion carried unanimously. Selectman Wood asked if the curb cut was for a new home or if it was for a new entrance for an existing home. Administrator LaBombard stated that it was for a new entrance.

ONE DAY ALCOHOLIC BEVERAGES LICENSE – SUSAN HAPP:

Susan Happ submitted an application for a one day Alcohol license for an event to be held on July 6, 2014 at the Town Park. Administrator LaBombard stated that payment and an insurance certificate had been received. Selectman Wood moved to approve the one day alcohol license application as presented, seconded by Selectman Hawver. The motion carried unanimously.

APPLICATION FOR FARMER WINERY TO SELL AT FARMER'S MARKET:

Chairman Smith stated that this would be the first time that a winery would be able to sell at the Farmer's Market so there is no license for this. Selectman Wood moved to approve the application for Farmer Winery for tasting and sale of wine at the Farmer's Market at a rate to be determined by the Board of Selectmen at their meeting on June 30, 2014. It was the consensus of the Board to have the Administrator LaBombard come up with a license name for the Winery. Selectman Wood moved to authorize the chairman of the Board of Selectman to sign a letter granting the winery to do tastings and sell wine at the Farmer's Market for the next two weeks, seconded by Selectman Hawver. The motion carried unanimously.

HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM CONTRACT:

Administrator LaBombard explained that the Household Hazardous Waste is an agreement with multiple towns to provide disposal of hazardous waste materials. The estimated cost for the Town for FY2015 will be \$2,756. Selectman Wood moved to sign the contract for the Southern Berkshire Household Hazardous Waste Collection Program, seconded by Selectman Hawver. The motion carried unanimously. Selectman Hawver stated that she spoke with Recycling Coordinator David Steindler and he thinks that this is a good price for the services provided.

REPRESENTATIVE TO THE BRTA ADVISORY BOARD:

Selectman Wood requested to put this appointment off until the other appointments are done. She stated that she may be able to be the representative for this but it will depend on other appointments. It was the consensus of the Board to wait until the other appointments are done to appoint a representative to the BRTA Advisory Board.

TIME WARNER AND COMCAST MERGER:

Selectman Wood stated that she attended a Five Town Cable Advisory meeting in Lenox regarding the Time Warner Cable merger. This meeting discussed the public hearing that was held earlier in the evening regarding the merger. She stated the next step is for the Board to sign an agreement of consent to control as advised by the Five Town Cable Advisory Committee. Selectman Wood moved to have the Board of Selectmen agree to and sign the consent of control agreement as presented, seconded by Selectman Hawver. The motion carried unanimously.

Chairman Smith stated that Kirt Mayland had arrived so the Board would go back to agenda item #3.

SOLAR TAX AGREEMENT FOR EAST STAHL ROAD:

Discussion ensued regarding the tax agreement for Mr. Mayland solar project on East Stahl Road. Administrator LaBombard will revise the agreement as discussed and then send to Town Counsel for review. Selectman Wood moved to conditionally accept the agreement between Housatonic Solar 1 LLC and the Town of Sheffield pending review by Town Counsel, seconded by Selectman Hawver. The motion carried unanimously.

APPOINTMENT ANNOUNCEMENTS FOR FY2015:

Administrator LaBombard read the following list of applicants and vacant positions for FY2015:

Department/Position	Number of Vacancies	Applicants
Agricultural Commission	4	Kathy Orlando
Agricultural Comm Alternates	2	
Animal Control Officer	1	Martin Clark
Animal Inspector	1	Martin Clark
Ashley Falls Historic District Comm	3	Richard A. Swiatek
Board of Assessors	2	

BRPC Delegate ó Alternate	1	Rene C. Wood
Board of Health	2	David A. Smith, Jr. Nadine A. Hawver
Board of Registrars	2	Patricia Sadera Elizabeth Smith Thomas Carmody
Building Inspector	1	Donald Ward
Assistant Building Inspector	1	James M. McGarry
Conservation Commission	1	Bruce Person
Constable	2	Helen Johnston Pat Hardisty Michelle Harwood David Steindler Dawn Massini
Council on Aging	4	Sally Cook David Wells
Cultural Council	2	Richard Cappadona
Commission on Disabilities	5	Butch Ray
Electrical Inspector	1	Edward McCormack
Assistant Electrical Inspector	1	Alice Naylor
Emergency Management Coordinator.	1	Brent Getchell
Finance Committee	1	Robert Krupski
Fire Chief	1	Robert Gennari
Gas & Piping Inspector	1	
Gas & Piping Inspector Alternate	1	
Health Inspector	1	
Historical Commission	2	Michael King Gay Tucker
Housing Commission	2	
Housing Commission Alternate	1	
Local Emergency Planning Committee	5	
Following positions are automatically appointed:		
Board of Selectmen chair		
Town Administrator		
Police Chief		
Fire Chief		
Building Inspector		
Park & Recreation Committee	2	John Londoner
Planning Board Alternate	1	Anthony Gulotta
Plumbing Inspector	1	Robert Krupski
Plumbing Inspector Alternate	1	Robert Gennari
Public Weigher	4	
Recycling Coordinator	1	David J. Steindler
Sanitation Inspector	1	Scott Smith
Sanitation Inspector ó Alternate	1	William Wilkinson
South Berk Dist. Veterans Delegate	1	Richard Kirchner
Town Accountant	1	James McCormack
Town Counsel	1	Kopelman & Paige, P.C.
Town Counsel ó Special	1	Mirick O'Connell, D.M. Moschos

Treasurer/Collector	1	Michael Ovitt
Tree Warden	1	Edward Lord
Veteran's Agent	1	Laurie Hils
Zoning Board of Appeals	2	Allison Lassoe
		Mark Bachetti
Zoning Board Alternate	1	Greig Siedor

William Wilkinson was announced for Sanitation Inspector but the Board of Health has requested a hold on that appointment. Action on the appointments will take place at the June 30, 2014 meeting. Chairman Smith stated that if there is any interest in any of the vacancies to please submit a letter of interest.

HOUSATONIC RAILROAD COMPANY LIMITED APPLICATION WAIVER:

Administrator LaBombard explained that a letter was received from TEC Associates stating that the Housatonic Railroad Company is seeking to obtain a Limited Application Waiver in order to allow them a one time application of herbicide to manage the railroads Rights-of-Way. Selectman Wood stated that some residents of Ashley Falls have expressed concern regarding the effect that the herbicide would have on their wells. It was the consensus of the Board to have Administrator LaBombard invite Dale Alden to the next meeting to discuss his concerns regarding the use of the pesticides.

SELECTMEN'S ITEMS:

Selectman Wood stated that she attended her first Zoning Bylaw Review Committee on June 4th. She stated that she thinks they are very dedicated group but was disappointed that there were not representatives from the Planning Board or the Conservation Commission. She suggested possibly making them ex officio members. Selectman Wood also stated that she would like to congratulate the Mount Everett graduates and Sheffield's Monument Mountain and Berkshire School graduates. She stated that the just released Rest of River Remedy would be presented by the EPA on 6/18 at 6pm at Lenox High School. She thanked Dave for accepting her suggestion and holding a Financial Retreat for the Select Board and Town Administrator on 6/13.

Selectman Hawver stated that she attended the production of the Music Man and she thought the kids did a great job.

TOWN ADMINISTRATOR ITEMS:

Administrator LaBombard welcomed her Assistant Alicia Dulin back from maternity leave. She also stated that the SPCA gave us a grant for beaver control on Bow Wow Road. She stated that Sheffield has been designated a Tree City USA and thanked the Sheffield Tree Project for all of their hard work. And lastly, she stated that the Miller Road railroad crossing will be closed on June 17th, June 18th and June 19th so that the Housatonic Railroad Company can repair them.

PUBLIC COMMENT:

Trudy Weaver-Miller stated that if Town Counsel was an appointed position that maybe it is time to interview for this position again considering the recent issues with the current Town Counsel. She also asked if there was a schedule and time frame for tax takings. Administrator LaBombard stated that there was no schedule for tax takings and stated that it is very expensive to do a tax taking. Ms. Miller asked if any have been collected since the last tax taking. Administrator LaBombard stated that some taxes have been collected but did not have the exact amount in front of her. Ms. Miller then asked what is being done to rectify the situation, what the time frame is and who oversees this. She stated that she will be asking for updates.

Benno Friedman stated that Sheffield has made great strides towards transparency. He stated that more progress still needs to be made, but thanked the Board for what has been done already.

Selectman Wood moved to adjourn the meeting, seconded by Selectman Hawver. The motion carried unanimously.

Chairman Smith adjourned the meeting at 7:51 PM.

Respectfully submitted:

Alicia Dulin
Assistant to Town Administrator

Documents reviewed at this meeting:
Application for Wine and Malt Beverage License
Draft Solar Tax Agreement ó East Stahl Road
Kindred Gr8t Road Race Letter
Curb Cut Permit Application ó 22 Kellogg Road
One Day Alcoholic Beverages License Application ó Susan Happ
Application for Farmer Winery to sell at Farmerø Market
Household Hazardous Waste Contract
Time Warner/Comcast Merger ó Consent to Transfer of Control
List of FY15 Appointment Announcements
Letter from TEC Associates