

**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 see 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 – Alternate          | 1 | Rene C. Wood  |
| Board of Health                    | 2 |   |
| Board of Registrars                | 2 | David A. Smith, Jr.<br>Nadine A. Hawver<br>Patricia Sadera<br>Elizabeth Smith<br>Thomas Carmody   |
| Building Inspector                 | 1 |   |
| Assistant Building Inspector       | 1 |   |
| Conservation Commission            | 1 | Donald Ward   |
| Constable                          | 2 | James M. McGarry<br>Bruce Person  |
| Council on Aging                   | 4 | Helen Johnston<br>Pat Hardisty<br>Michelle Harwood<br>David Steindler<br>Dawn Massini   |
| Cultural Council                   | 2 | Sally Cook  |
| Commission on Disabilities         | 5 | David Wells   |
| Electrical Inspector               | 1 | Richard Cappadona   |
| Assistant Electrical Inspector     | 1 | Butch Ray   |
| Emergency Management Coordinator.  | 1 | Edward McCormack  |
| Finance Committee                  | 1 | Alice Naylor  |
| Fire Chief                         | 1 | Brent Getchell  |
| Gas & Piping Inspector             | 1 | Robert Krupski  |
| Gas & Piping Inspector Alternate   | 1 | Robert Gennari  |
| Health Inspector                   | 1 |   |
| Historical Commission              | 2 | Michael King<br>Gay Tucker  |
| Housing Commission                 | 2 |   |
| Housing Commission Alternate       | 1 |   |
| Local Emergency Planning Committee | 5 |   |
|                                    |   | Following positions are automatically<br>appointed:<br>Board of Selectmen chair<br>Town Administrator<br>Police Chief<br>Fire Chief<br>Building Inspector<br>John Londoner<br>Anthony Gulotta<br>Robert Krupski<br>Robert Gennari |
| Park & Recreation Committee        | 2 |   |
| Planning Board Alternate           | 1 |   |
| Plumbing Inspector                 | 1 |   |
| Plumbing Inspector Alternate       | 1 |   |
| Public Weigher                     | 4 |   |
| Recycling Coordinator              | 1 | David J. Steindler  |
| Sanitation Inspector               | 1 | Scott Smith   |
| Sanitation Inspector – 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 – 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 Lasso |
|                         |   | 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 APPLCATION 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 4<sup>th</sup>. 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 17<sup>th</sup>, June 18<sup>th</sup> and June 19<sup>th</sup> 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 sine 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 – East Stahl Road  
Kindred Gr8t Road Race Letter  
Curb Cut Permit Application – 22 Kellogg Road  
One Day Alcoholic Beverages License Application – Susan Happ  
Application for Farmer Winery to sell at Farmer’s Market  
Household Hazardous Waste Contract  
Time Warner/Comcast Merger – Consent to Transfer of Control  
List of FY15 Appointment Announcements  
Letter from TEC Associates