

**TOWN OF SHEFFIELD  
BOARD OF SELECTMEN  
JULY 21, 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  
Michael Ovitt, Treasurer/ Collector  
E. Bonnie Silvers, SBRSD School Committee

Members of the public

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

**APPROVAL OF MINUTES:**

Chairman Smith stated that amendments to minutes should be discussed at each meeting to ensure that all Board members were aware of any amendments made. Selectman Wood stated that any changes usually get e-mailed beforehand.

Selectman Hawver moved to accept the meeting minutes from the June 30, 2014 meeting as amended, seconded by Selectman Wood. The motion carried unanimously.

Selectman Hawver moved to accept the meeting minutes from the July 7, 2014 meeting as amended, seconded by Selectman Wood. The motion carried unanimously.

Selectman Hawver moved to accept the meeting minutes from the July 7, 2014 Executive Session meeting as amended, seconded by Selectman Wood. The motion carried unanimously.

**PRESENTATION OF MUNICIPAL TAXES BY TAX COLLECTOR:**

Treasure/Collector Michael Ovitt made a presentation on property, real estate and excise taxes. He explained the process associated with each tax, when bills for each tax go out, what happens with of the taxes if there is non payment and tax taking procedures. The Board thanked Mr. Ovitt for his thorough presentation on municipal taxes.

**FARMER'S DISTILLERY POURING PERMIT – BERKSHIRE MOUNTAIN DISTILLERY:**

This item was tabled.

**BROWN BAG POLICY UPDATE – DEWEY HALL:**

Todd Mack, Director of Dewey Hall was present to request a Brown Bag permit so that guests attending concerts may bring their own beer and wine. Administrator LaBombard explained that the Town already has a brown bag policy but it would need to be updated before issuing a permit to Dewey Hall. Chairman Smith asked how the issue of minors would be handled. Mr. Mack stated that they would ask people for identification at the door. Selectman Wood asked if the Town would need to amend their insurance policy to cover this situation. Selectman Hawver stated that she was uncomfortable with the idea of patrons bringing their own alcohol. It was the consensus of the Board to have Administrator LaBombard look into insurance coverage. Mr. Mack stated that Dewey Hall has liquor liability insurance and he will check if it would extend to the brown bag policy.

**AWARD TWO PAVING BIDS:**

Administrator LaBombard stated that the following bids were received and opened on July 11, 2014 for the Pike Road and Hewins Street Rapid Road Recovery Program:

Tri- Town Paving - \$56,851.11  
LB Corporation - \$66, 372.20  
Lane Construction – \$70,719.45

Administrator LaBombard recommended awarding the contract to the low bidder, Tri-Town Paving. Selectman Hawver moved to award the Pike Road and Hewins Street Rapid Road Recovery Program to the low bidder, Tri-Town Paving at \$56,851.11, seconded by Selectman Wood. The motion carried unanimously.

Administrator LaBombard stated that the following bids were received and opened on July 11, 2014 for the Home Road Summer Paving:

Tri- Town Paving - \$203,600.00  
LB Corporation - \$205,818.00  
Lane Construction – \$243,828.80

Administrator LaBombard recommended awarding the contract to the low bidder, Tri-Town Paving. Selectman Hawver moved to award the Home Road Summer Paving to the low bidder, Tri-Town Paving at \$203,600.00, seconded by Selectman Wood. The motion carried unanimously.

**APPOINTMENTS ANNOUNCEMENTS FOR FY2015:**

Chairman Smith stated that the following have submitted a request for appointment:

Edward Lord - Highway Superintendent  
Richard Swiatek - Ashley Falls Historic District Commission  
Action on the above appointment will take place at the August 4<sup>th</sup> meeting.

**APPOINTMENTS FOR FY2015:**

Selectman Wood recused herself from the Planning Board appointment. Chairman Smith stated that Rene C. Wood, Anthony Gulotta and Daniel Watson had applied for the two vacancies on the Planning Board and that there was a vacancy for the Planning Board Alternate. Selectman Hawver moved to appoint Anthony Gulotta and Daniel Watson to the Planning Board for terms to expire with the Annual Election in May, seconded by Chairman Smith. The motion carried 2-0, Selectman Wood abstained. Selectman Hawver stated that she hoped Selectman Wood would be interested in being the Planning Board Alternate because she believes she would be an asset and a mentor to the Planning Board. Selectman Wood explained that the alternate position does not serve as a mentor and stated that if she was interested in being the Planning Board Alternate she would submit a letter of interest.

Selectman Wood moved to appoint Thomas Sullivan to a three year term on the Parks and Recreation Committee, seconded by Selectman Hawver. The motion carried unanimously.

It was the consensus of the Board to put off the Economic Development Committee appointments until there are more applicants.

Selectman Wood moved to appoint Thaddeus Kubis to a three year term on the Cultural Council, seconded by Selectman Hawver. The motion carried unanimously.

Selectman Wood moved to appoint Claudia Martin to a three year term on the Housing Commission, seconded by Selectman Hawver. The motion carried unanimously.

Selectman Wood moved to appoint Sally Munson to a one year term as the Food Inspector, seconded by Selectman Hawver. The motion carried unanimously.

Selectman Hawver moved to appoint Priscilla Rueger to a three year term on the Ashley Falls Historic District Commission, seconded by Selectman Wood. The motion carried unanimously.

Selectman Wood moved to appoint Christopher Lamarre to a three year term on the Board of Assessors, seconded by Selectman Hawver. The motion carried unanimously.

**FY2015 VACANCIES:**

Administrator LaBombard read the following list of vacancies:

- Agricultural Commission – 2
- Agricultural Commission Alternate – 1
- Ashley Falls Historic District Commission – 1
- Board of Assessors – 1
- Commission on Disabilities – 5
- Five Town Cable Advisory Committee – 1
- Housing Commission – 1
- Housing Commission Alternate – 1
- Park and Recreation Committee – 1
- Public Weigher – 4
- Southern Berkshire District Veteran’s Service Delegate – 1

Selectman Wood stated that she would like to add that there are three vacancies on the Economic Development Committee. Chairman Smith stated that anyone interested in a vacancy or anyone with a question should contact the Town Administrator’s Office.

**CURB CUTS 3 BARNUM STREET, HULETT HILL ROAD:**

An application was submitted for a curb cut permit at 3 Barnum Street. The application has been signed by the Highway Superintendent and the Police Chief. Selectman Hawver moved to approve the curb cut permit as presented, seconded by Selectman Wood. The motion carried unanimously. Selectman Wood moved to amend the motion to include the requirement that the brush at the exit be cut for a clear view, seconded by Selectman Hawver. The motion carried unanimously.

An application was submitted for a curb cut permit on Hulett Hill Road. The application has been signed by the Police Chief and the Highway Superintendent. Selectman Wood moved to approve the curb cut permit for Hulett Hill Road as presented, seconded by Selectman Hawver. The motion carried unanimously.

**AMERICAN LEGION REQUEST TO PUT UP FLAGS ON VILLAGE GREEN:**

Chairman Smith explained that the American Legion has requested to put up service flags on all of the Village Green lamp posts. He stated that the Board now has a diagram of where the flags will be placed. Paul Nardi, Commander of the American Legion was present to answer any questions that the Board might have. Selectman Wood asked when the flags would be put up and taken down. Mr. Nardi stated that he would put them up Memorial Day and take them down Veteran’s Day every year. Selectman Hawver moved to approve the American Legion’s request to put up service flags on the Village Green lamp posts as presented, seconded by Selectman Wood. The motion carried unanimously.

**SOLAR AGREEMENT – EAST STAHL ROAD:**

Kirt Mayland from Housatonic 1 Solar, LLC was present and stated that the payment schedule for Hamden was accidentally inserted into the agreement. Selectman Wood stated that she would like the

Board to look at a one year performance bond for non-payment. Selectman Wood moved to accept the draft solar tax agreement between Housatonic Solar 1, LLC and the Town of Sheffield with the proposed tax schedule and Tammy Blackwell filling in the kilowatt per hour, seconded by Selectman Hawver. The motion carried unanimously.

**BROADBAND SURVEY:**

Selectman Wood stated that there has been a great response and thanked residents for returning their surveys and asked any residents who have not sent their survey back to please do so.

**PRIMAX PROPERTIES - UPDATE:**

Administrator LaBombard read the following statement:

The judge has accepted the Agreement for Judgment in the Primax Properties case. The ZBA's decision to revoke the building permit has been annulled, which reinstates the building permit as modified by the Agreement.

**PROPOSED ZONING BYLAW FROM PLANNING BOARD:**

A letter was received from the Planning Board Chairman indicating that a citizen's petition regarding Smart Meter's was filed with the Planning Board and that the Planning Board intended to have a public hearing. Discussion ensued regarding proper procedure for a citizen's petition and it was the consensus of the Board to table this discussion until The Planning Board presented the complete Citizens' Petition.

**LETTER TO SUPERINTENDENT HASTINGS AND BUSINESS MANGAER BRUCE TURNER:**

Selectman Hawver asked the Board to pass over this discussion.

**SELECTMEN'S ITEMS:**

Selectman Wood stated that the Community Development Block Grant had been awarded to Great Barrington and Sheffield in the amount of \$803,000. She stated that part of the grant will be used to make the Town Hall more handicapped accessible. She also stated that the survey will be reopened for anyone interested in having their home qualify.

Selectman Wood stated that there would be a meeting regarding the Housatonic passenger rail study on Wednesday July 23, 2014 from 6-8 PM at the Great Barrington Fire Department.

Selectman Hawver congratulated the Mount Everett U14 girls softball team for winning the championship and congratulated coaches Devoti, Carpenter and Degrenier.

**TOWN ADMINISTRATOR ITEMS:**

Administrator LaBombard stated that an application for a Temporary Roadside Event Sign was found taped to the front door of the Town Hall. Christ Trinity Church has applied for a Temporary Roadside Event Sign for the Parish Fair & Tag Sale to be held at the church on August 9, 2014. She stated that it was received after the agenda had already been posted. Selectman Hawver stated that she was hesitant to approve it without it being on the agenda. Selectman Wood stated that they could approve it tonight and then put it on the next agenda for ratification. Selectman Wood moved to approve the Temporary Roadside Event Sign to be erected on July 26, 2014 on the Village Green and taken down on August 9<sup>th</sup> for the Parish Fair & Tag Sale pending approval from the Police Department, seconded by Selectman Hawver. The motion carried unanimously. Selectman Wood asked Trudy Weaver-Miller to please submit the application on time in the future.

**PUBLIC COMMENT:**

David West asked if the Primax Properties issue was done and if Primax Properties has a valid building permit. Administrator LaBombard stated that it was over and that Primax does have a valid building permit.

Mr. West stated that in regards to the Planning Board's proposed bylaw if there is a petition with valid signatures there is no reason for the Planning Board to have a public hearing.

Mr. West asked if the Building Inspector has any input on the Brown Bag Policy for Dewey Hall. Administrator LaBombard stated that she asked the Building Inspector about this and he stated it had nothing to do with him.

Trudy Weaver-Miller thanked the Board for approving her application for a Temporary Roadside Event Sign and stated that she thought the Board was meeting next week.

Ms. Weaver-Miller asked if the Treasurer/Collector could answer the questions that she had discussed at a previous meeting now that he had given the presentation on municipal taxes. The Board suggested that she stop by Town Hall and talk to Mr. Ovitt directly. Ms. Miller continued to express her concern that she could not have her questions answered and suggested that all Department Heads be prepared to answer questions.

Claudia Martin stated that she would like to thank Michael Ovitt for getting her a 911 sign and putting it up for her.

Bonnie Silvers stated that she wanted to update the Board on the air conditioning project for the school. She stated that 4 bids were received and the lowest bid was under \$150,000 and that the noisy work would be done before school begins.

Ms. Silvers also wanted to thank Police Officer Michael Ovitt for finding her dog and getting it back to her.

Dennis Sears stated that when he is delivering for Meals on Wheels the 911 signs are a big help. He stated that he notices many homes with no numbers and asked if there was a requirement in our bylaws for homes to have numbers. Administrator LaBombard stated that it is a general bylaw and stated that we could send an e-mail blast to remind residents.

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

Chairman Smith adjourned the meeting at 8:15 PM.

Respectfully submitted:

Alicia Dulin  
Assistant to Town Administrator

Documents reviewed at this meeting:  
Brown Bag Policy  
E-mail from Todd Mack Regarding Brown Bag Policy  
Paving Bid Sheets  
List of FY2015 Appointment Announcements and Appointments  
List of Vacancies  
Curb Cut Permit Application – 3 Barnum Street  
Curb Cut Permit Application – Hulett Hill Road  
Diagram for Service Flags  
Draft Solar Agreement – East Stahl Road  
Statement Regarding Primax Properties  
Letter from Planning Board