

TOWN OF LEE
SELECT BOARD MEETING
Tuesday May 16, 2023 @ 7:00PM
Town Hall • 38 Main Street • Former Courtroom

Minutes

Members Present: Bob Jones, Gordon Bailey, Sean Regnier

Members Absent: None.

Sean Regnier called the meeting to order at 7:00PM.

1. **Special Orders:** Board Re-Organization

Sean Regnier made a motion to appoint Bob Jones as Chairman of the Select Board and Gordon D. Bailey as Clerk which Mr. Bailey seconded and was unanimously approved, 3-0.

2. **Minutes:** Open Session Minutes of 05/02/2023

Mr. Bailey made a motion to approve the 05/02/2023 minutes as submitted which Mr. Regnier seconded and was unanimously approved, 3-0.

3. **Public Hearing:**

a) A public hearing on an application for a new Annual Wine & Malt Restaurant License from Burmese Bowl Corporation d/b/a Burmese Bowl, 114 Housatonic Street, Mahnin Yu Khaing, Manager. Attorney Matthew Porter was present via Zoom representing the business. Also present via Zoom was Attorney John Graziano, Min Khant, and Mahnin Yu Khaing.

Atty Porter began by stating that Burmese Bowl is in operation at 114 Housatonic Street and they are now looking to add a wine & malt license. He stated that both Min Khant and Mahnin Yu Khaing are TIPS certified and they understand the rules and responsibilities that come along with an alcohol license. They will also require all of their employees that are serving alcohol to be TIPS certified.

Atty Porter confirmed for Mr. Bailey that the only outdoor dining would be on the porch and those seats are included in the seating capacity for the alcohol license.

Mr. Khant stated that the hours of operation are Sunday through Saturday from 11:00am to 9:00pm.

Chairman Jones opened the hearing up to the public.

Atty Graziano confirmed for Kathy Hall that there will be no alcohol service in the back of the building by the athletic field.

Mr. Regnier made a motion to approve the new annual wine and malt restaurant license for Burmese Bowl Corporation d/b/a Burmese Bowl which Mr. Bailey seconded and was unanimously approved, 3-0.

4. Public Comment

Kathy Hall, Chair of the Lee Youth Commission, began by stating that the Lee Youth Commission is working diligently to keep our parks looking good, but they need your help. Unfortunately, people have started to throw garbage under the pavilion and on the skateboard park at the Lee Athletic Field. Some of this garbage - marshmallows and chicken bones - can be dangerous to the wildlife whose habitat exists especially in this field. Ms. Hall stated that there are four garbage/recycle bins outside the fence of the field and asked the public to please use them. On a more positive note, Ms. Hall stated that their newest project is to repaint the basketball lines at the Lee Athletic Field and it should be completed by the end of the week. Ms. Hall concluded saying that both the Lee Master Plan Committee and the Open Space and Recreation Plan Committee are attempting to have hybrid meetings.

Margaret Biron, 42 Park Street, began by congratulating Sean Regnier for his win on another three-year term for Select Board at the Town Election. She stated she was present today because she is hoping all of the Select Board will continue to help and monitor the situation with the dump. She stated that she is concerned and that we cannot change what is done but we can make sure things are good for everyone in the future.

Chairman Jones stated that on May 24th the EPA and CCC will be at the library from 6pm to 8pm and the public may find out more information on the next phase. He stated that Ms. Biron's concerns are taken and well shared.

Gail Ceresia, 161 West Park Street, began by asking what was going on with the NEPA Permit for Urovia. Mr. Bailey stated that he is still planning on speaking with Admin Brittain about it and he will be in touch with Ms. Ceresia when he knows more. Ms. Ceresia stated that she considers our town a sacrifice zone and its pretty clear the other towns look at it that way too. She stated that the 2016 permit was much better than what we have today. She added that she believes many people in town have given up on this but we need to stay in it. Ms. Ceresia stated it's not going to be easy to monitor GE.

Mr. Bailey stated that the Board may not talk about the dump at every meeting, but there are ongoing efforts to try and help the town as best as they can. They cannot always talk about everything, as the public knows, and he asked the public to keep coming in and asking questions, but to also be patient. Mr. Regnier stated that they did hear back from three of the four towns they sent letters to and none of them want to meet with the Lee Select Board. He added that he thinks it will be important to have some sort of oversight committee to monitor GE with experts that can go through the data. Chairman Jones assured Ms. Ceresia that there is an ongoing effort to address all the concerns she has mentioned. He stated that they are meeting again with Senator Warren's staff next Monday and everything she has said is on the table.

5. General Business

a. Wylie Goodman – BRPC Presentation: 2023-2027 CEDS Resiliency

Wylie Goodman, Senior Planner of BRPC, was not present. The Board agreed to move her presentation to a later meeting date.

b. Berkshire Gas Permits

i. 174 Bradley Street- Replace gas service

Mr. Bailey noticed that the Police Department checked off and dated approval for the permit, but the application was missing a signature.

Mr. Bailey made a motion to approve the Berkshire Gas Permit for 174 Bradley Street allowing the Chair to sign (pending a signature from the Police Department) which Mr. Regnier seconded and was unanimously approved, 3-0.

ii. 10 Park Place – Gas service repair

Mr. Regnier made a motion to approve the Berkshire Gas Permit for 10 Park Place allowing the Chair to sign which Mr. Bailey seconded and was unanimously approved, 3-0.

iii. 52 Main Street – Gas service leak repair

Mr. Bailey made a motion to approve the Berkshire Gas Permit for 52 Main Street allowing the Chair to sign which Mr. Regnier seconded and was unanimously approved, 3-0.

6. Any topic the Chairman would not reasonably anticipate.

No business was brought forward.

7. Town Administrator – Update on meetings with other Select Boards

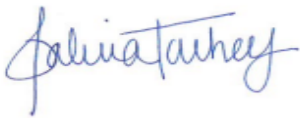
Admin Brittain stated that the Town of Lee did receive correspondence from the Town of Lenox, Town of Sheffield, and Town of Great Barrington stating that the Select Boards did not wish to meet with the Lee Select Board. He stated that they are waiting to hear officially from the Town of Stockbridge.

Chairman Jones stated that he was going to reach out to the Town of Stockbridge again. He stated that he has heard from citizens that are in contact with some of the people on the other Boards who can try to get a conversation going. He stated that he is terribly disappointed that the other Select Boards were not willing to even have a conversation with the Lee Select Board. Chairman Jones stated that they are not asking the towns to get out of the agreement, to rescind anything, or to join in any effort—they are just looking for a conversation so that the public throughout the river corridor would have a better understanding of what we're facing.

The next regular meeting is scheduled for June 6, 2023.

Mr. Bailey made a motion to adjourn at 7:27pm which Mr. Regnier seconded and was unanimously approved, 3-0.

Submitted by:



Sabrina Touhey
Admin Asst TA/BOS

Approved on: 06/06/2023