

APPROVED ON 9/21/21

Board of Selectmen – Minutes of Meeting

BOARD OF SELECTMEN  
MINUTES OF MEETING – September 7, 2021

Present: By ZOOM: Patty Carlino, Chair, Sean Regnier & Bob Jones, Board of Selectmen.

Christopher Ketchen, Chief Administrative Officer (CAO).

Chairperson, Patty Carlino called the meeting to order at 7:00 PM, stating that pursuant to the Open Meeting Law, this is an audio recording with a roll call vote of members present by ZOOM.

<i>Patty Carlino</i>	<i>here</i>
<i>Sean Regnier</i>	<i>here</i>
<i>Bob Jones</i>	<i>here</i>

1. **Approval of Minutes:** *Upon a motion duly made and seconded and upon a roll call vote, the Board members voted unanimously to approve the open session minutes of August 17, 2021.*

<u><i>AYES</i></u>	<u><i>NAYS</i></u>
<i>Patty Carlino</i>	<i>none</i>
<i>Sean Regnier</i>	
<i>Bob Jones</i>	

2. **Public Hearings:** None.

3. **Public Comments:** None.

4. **General Business:**

- a) Jim Valeriani, Esq. – Higher Purpose – Extension of Special Permit (815 Pleasant Street) –  
At the beginning of this discussion Bob Jones recused himself stating he works part-time for Canna Provisions and this could be considered a conflict. Jim Valeriani came before the Board to request an extension of the Special Permit granted in 2019 citing the following as “Good Cause” to request such an extension. He explained that there have been delays with the Cannabis Control Commission (CCC), regarding minor modifications to the Site Plan and that nothing has changed in any significant way and that Good Cause has been established. They are seeking a one (1) year extension and state the following that was presented to the Planning Board: new trash compactor / new 12 x 12 concrete pad for CO2 tank / new generator pad/ concrete foundation for shed / equipment pad for cooling towers, sewer line, manhole and new transformer on 10 x 10 concrete pad. Flood plains buffer zones and net change of lot coverage of impervious area. Discussion of the definition of a major change and a minor change. Planning Board voted (5-0) in favor of modifications. Sean Regnier asked if they have made

any progress and Mr. Valeriani stated that they have their building permit for the steel work, etc. and have been working with Don Fitzgerald (Bldg. Dept.) and they have gone back and forth with the CCC on their architectural review. They have definitely started and need their building permit to go further. They are also working with Eversource to update the power and they are 6 months in to an 8 month wait period. Sean Regnier responded that everything looks good. Chris Ketchen asked if the permit has lapsed and if not, they are not in a lapse situation. Jim Valeriani appreciated that response as he felt they were not lapse and he did feel that they were in a "Good Cause" situation, to which CAO, Ketchen agreed with him.

*Upon a motion duly made and seconded and by roll call vote, the Board members voted unanimously to grant to Higher Purpose, an extension of the Special Permit in accordance with the Planning Board's recommendation.*

AYES

NAYS

*Patty Carlino  
Sean Regnier*

*none*

- b) Gary Levelle-Parkview Terrace-Flooding Issue Discussion- Gary Levelle from Parkview Terrace came before the Board to discuss a flooding problem he has had since he moved in to his house this past spring. He stated that there has been an ongoing flooding at his property at 20 Parkview Terrace and other residences of Parkview Terrace. Back in the spring when the rains started their back yard flooded. Many neighbors agreed that something needed to be done as they have had similar problem and this has been ongoing for decades. He hired Foresight Land Services to fix the situation and he also spoke with Superintendent of Public Works, Alan Zerbato. He said that his neighbor Officer Hopkins took pictures. It seems the problem is there is no drainage and Mr. Levelle installed some temporary tubing which had some effect; though very little. Foresight will meet with Mr. Alan Zerbato to see if they can come up with a solution to keep the water from coming in. Mr. Levelle explained that he wanted to notify the Board of this ongoing problem which is not just an issue from this previous summer of rainfall. He wanted to go on the record and stated that at times the water can be up to his knees, filled with mosquitos and larvae. He thanked the Board for listening and CAO Ketchen offered that he is sorry about the predicament and is glad that Mr. Zerbato is involved. Board member, Bob Jones asked him if since May when they moved in had they done any earth-moving themselves. Mr. Levelle said he hasn't touched anything as he didn't want to ruin any of the neighbors' yards. He told him to keep in touch with Alan Zerbato and see what he comes up with.
- c) One Day Beer & Wine License – EVENT CANCELLED DUE TO COVID
- d) Entertainment License - EVENT CANCELLED DUE TO COVID
- e) Berkshire Gas Permits - Three gas permits to replace existing gas service - i) 800 Stockbridge Rd. (Holly House Apts) ii) 670 Stockbridge Rd. iii) 323 West Park St. - *Upon a motion duly*

*made and seconded and by roll call vote, the Board members voted unanimously to approve all three (3) Berkshire Gas Permits as presented.*

AYES

NAYS

*Patty Carlino  
Sean Regnier  
Bob Jones*

*none*

- f) Federal Census Bureau – Reprecincting Process for Single Precinct Towns - The Board members were presented with a document to remain a single precinct town with one (1) voting location, as we are still under the threshold for population. *Upon a motion duly made and seconded and by roll call vote, the Board members voted unanimously to stay one precinct and hereby request the Secretary of the Commonwealth of prepare a single precinct map on our behalf.*

AYES

NAYS

*Patty Carlino  
Sean Regnier  
Bob Jones*

*none*

- g) Notice of Intent-Lee Housing Authority – Town Appointed Tenant Board Position - *Upon a motion duly made and seconded and by roll call vote, the Board members voted unanimously to appoint Marjorie J. Donovan to the Town Appointed Tenant Board Member seat of the Lee Housing Authority.*

AYES

NAYS

*Patty Carlino  
Sean Regnier  
Bob Jones*

*none*

- h) Conservation Committee – Appointment – Toni Thomas - *Upon a motion duly made and seconded and by roll call vote, the Board members voted unanimously to appoint Toni Thomas, to the Conservation Committee.*

AYES

NAYS

*Patty Carlino  
Sean Regnier  
Bob Jones*

*none*

- i) Matthew Penn – Movie Set Permission Request - The Board members received a request from Matthew Penn requesting permission to film outside the police station on the side street. He has already received the approval from Chief DeSantis who gave his approval, contingent on the approval of the Select Board. The shoot would be one day during the October 25<sup>th</sup> – 31<sup>st</sup> window. They would shoot part of the day outside on the side street and then part of the day inside the meeting room that used to be a courtroom. Chair Patty Carlino, asked that he be reminded that he would have to work around any schedule the courtroom already has and to check with Cindy to get the courtroom schedule for the times he intends to shoot. *Upon a motion duly made and seconded and by roll call vote, the Board members voted unanimously to approve the request from Matthew Penn, subject him getting the approval/consent from the Church.*

AYES

NAYS

Patty Carlino  
Sean Regnier  
Bob Jones

none

- j) Borrowing Authorization – Board Vote on Useful Life for new Fire Apparatus & Ambulance  
The Board members discussed the vote for the Town of Lee borrowing to purchase fire engine, ambulance and associated equipment in the amount of \$1,120,000.00 – Annual Town Meeting Warrant Article #12. *Upon a motion duly made and seconded and by roll call vote, the members voted unanimously “that the maximum useful life of the fire engine/ambulance to be financed with the proceeds of the \$1,120,000.00 borrowing authorized by the vote of the Town passed June 24, 2021 (Article 12) is hereby determined pursuant to G.L. c. 44§7(1) to be 15 years”.*

AYES

NAYS

Patty Carlino  
Sean Regnier  
Bob Jones

none

- k) Approval of New Form for One Day Alcohol Beverage License - The Board members were asked by Administrative Assistant, Cindy Bigelow to review a proposed new format for the Application for a “Special One-Day Alcoholic Beverage License”. This form features the ability to have either a One Day Beer & Wine License or a One Day “ All Alcohol License” valid only with a 501 (c) (3) Form. After reviewing these documents the Board was in favor of the new format, with just a few minor tweaks and upon receiving the revisions, the Board will re-look at these form at a later date.

- l) Lee Youth Commission – Update – Kathy Hall came before the Board with an update from the LYC. She thanked the DPW for all they do at the Athletic Field. The Lee Youth Commission as met with BerryDunn regarding the feasibility study. The Board discussed the vision of the “potential” community center and the reality that we may need to scale down the center our vision. Sean Regnier stated that although he is a big supporter, we need to be prepared to manage our expectations. We just need to be realistic as to what we can afford.

CAO, Chris Ketchen stated that they had a positive opening meeting with BerryDunn which is an encouraging open start.

5. **Pending Business** : The Chair, Patty Carlino stated that at our next meeting we will have gone through the list and chosen by a rating system the seven members that will be on the Town Administrator Search Committee.

6. **Town Administrator**: CAO Christopher Ketchen stated that the Revenue and Expense Reports for the period ended August 31, 2021 are available to the Selectmen for their review in their office.

7. **Next Regular Meeting**: – Our next regular meeting is scheduled for Tuesday, September 21, 2021 at 7:00 PM.

8. **Motion to adjourn**: Upon a motion duly made and seconded and by roll call vote, , the Board members voted unanimously to adjourn the meeting at 8:05 PM.

AYES

NAYS

Patty Carlino  
Sean Regnier  
Bob Jones

none

Respectfully submitted,



Cindy L. Bigelow,  
Administrative Assistant

Notice of Website Posting Sent to:

Board of Selectmen  
Town Administrator  
Town Clerk  
Town Collector  
Planning Board

Board of Assessors  
Board of Health  
Conservation Commission  
Police Chief  
Building Inspector

Dept. of Public Works  
Town Treasurer  
Town Reps. District Chair  
Superintendent of Schools  
Town Accountant