

APPROVED ON 12/7/21

Board of Selectmen – Minutes of Meeting

BOARD OF SELECTMEN
MINUTES OF MEETING – November 16, 2021

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

Christopher Brittain, Interim 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.

AYES

NAYS

Patty Carlino

here

Sean Regnier

here

Bob Jones

here

1. **Approval of Minutes:** *Upon a motion duly made and seconded and by roll call vote, the Board members voted unanimously to approve the minutes of November 2, 2021.*

AYES

NAYS

Patty Carlino

none

Sean Regnier

Bob Jones

2. **Public Hearings:** Transfer of Liquor License – Locker Toom to One-Eyed Cat Enterprises, Inc. (Roberta A. Boldyga and Richard P. Methe) d/b/a Locker Room Sports Pub. – Richard P. Methe and Roberta A. Boldyga came before the Board to present their application for a transfer of the Locker Room Liquor License to be transferred to One Eyed Cat Enterprises, Inc., d/b/a Locker Room Sports Pub - Manager Roberta Boldyga and Richard P. Methe. The Transfer application was properly presented to the Select Board, a notice was created, posted with the Town Clerk with copies sent to various Boards of the Town of Lee, A hearing was scheduled and publicized in the Berkshire Eagle for two (2) consecutive weeks. A brief discussion was had Boldyga and Methe with the Select Board wherein they presented their application and their plans for the Locker Room. Basically they are keeping things pretty much the same as the current owners. Roberta has taken the on-line TIPS course and will present her certificate to the Board for their file. *After a brief discussion regarding the approval of said license and upon a motion duly made and seconded and by roll call vote, the Board members voted unanimously to approve the Pledge of the License to Greylock Federal Credit Union and the transfer of the §12 All Alcohol Restaurant License from Donald J. Lucy and David M. Eisenberg d/b/a Locker Room Sports Pub at 232 Main Street, Lee, MA to One Eyed Cat Enterprises, Inc. (Roberta A. Boldyga and Richard P. Methe), d/b/a Locker Room Sports Pub.*

AYES

NAYS

Patty Carlino
Sean Regnier
Bob Jones

none

3. **Public Comments:** There were no public comments.

4. **General Business:** a) Berkshire Gas Permits – 276 East St.-from other side of street to left side of house – Install New Gas Service. *Upon a motion duly made and seconded and by roll call vote, the Board members voted unanimously to approve the Berkshire Gas Permits for the installation of new gas services to the following: : i) 276 East St.-from other side of street to left side of house. ii) 72-74 Columbia Street.*

AYES

NAYS

Patty Carlino
Sean Regnier
Bob Jones

none

b) Sandy Beach Agreement: The Board members reviewed the Sandy Beach Agreement which is an agreement that we execute every year. Town Counsel, Jeremia Pollard pointed out that the only difference this year is that we will specifically agree to indemnify any demands made, releases and claims, now or in the future until the end of time. Chair Patty Carlino stated that we never had a problem with this and don't expect one. Jeremia added that we don't have any bargaining sway as we don't own the land. This is a recreational use of the property; and we don't charge any fees. MIAA has no problem adding High Lawn farm to the insurance. *Upon a motion duly made and seconded and by roll call vote, the Board members voted unanimously to approve and authorize the Chair to sign the Public Recreation Lease with High Lawn Farm.*

AYES

NAYS

Patty Carlino
Sean Regnier
Bob Jones

none

c) Tri-Town Health – ARPA money - The Board members reviewed a memo from James Wilusz, Tri-Town Health Department with his requests to capture short-term funding under the American Rescue Plan Act of 2021, (ARPA) funds in the total amount of \$70,000.00 which represents Lee (33%) - \$23,100.00 / Lenox (43% - \$30,100.00 and Stockbridge (24%) - \$16,800.00. He calls it a short-term investment request for a long term gain. He added that Massachusetts is the only state without state funding to Public Health and the pandemic has shined the light on this. This funding will not affect the operating budget and there is no town meeting required. Lenox and Stockbridge have already approved their portions and he only needs Lee's approval. *Upon a motion duly made and seconded and by roll call vote, the Board members voted unanimously to approve the Health Department's request or ARPA funds in the amount of \$23,100.00.*

AYES

NAYS

*Patty Carlino
Sean Regnier
Bob Jones*

none

d) Canna Provisions – Impact Fee Agreement – The Board members discussed a Cannabis Community Impact Fee Agreement with Canna Provisions wherein it is the town’s intention to divide yearly fees (1,2,and 4) among other Cannabis Permit Holders once they begin operations in the town. The Town of Lee and Canna Provisions have mutually agreed to a Use of Impact Fee Schedule for Fiscal Years 2022 and 2023. This will reflect what the impacts actually are as none of us really knew at the start what they would be, if any. *Upon a motion duly made and seconded and by roll call vote the Board members voted unanimously (Bob Jones recused himself from this discussion) to authorize the Chair to sign the Cannabis Community Impact Fee Agreement with Canna Provisions.*

AYES

NAYS

*Patty Carlino
Sean Regnier*

none

e) Fire Department – Digital Sign - The Board members have been presented with a memo regarding a digital sign that would be placed in front of the Fire Station and funded by the Community Impact Fee Agreement with Canna Provisions. The Planning Board has given the “go ahead” and feel this would be a good addition to Main Street. It will be built with the same stone look as the Fire Station and will fit in as though it’s always been there. Chief Brown stated that he is excited about this and it should be here by placed by next summer. Interim CAO, Christopher Brittain will be able to access the information. According to Chief Brown, there will be a limit of who can access the information board (Public Safety, Town Clerk, Select Board & DPW). *Upon a motion duly made and seconded and by roll call vote the Board members voted unanimously to approve the installation of a digital sign for Community and Municipal Use.*

AYES

NAYS

*Patty Carlino
Sean Regnier
Bob Jones*

none

f) Firefighter/EMT Appointment – At the recommendation of Chief Ryan Brown, *and upon a motion duly made and seconded and by roll call vote the Board members voted unanimously to appoint Tiffany Hartlage for a part-time position (as needed) to the position of Firefighter/EMT, pending results of her CORI and a pre-employment physical.*

AYES

NAYS

*Patty Carlino
Sean Regnier
Bob Jones*

none

g) Police Officer Appointment - At the recommendation of Chief Craig DeSantis, *and upon a motion duly made and seconded and by roll call vote, the Board members voted unanimously to appoint Joseph Sniezek to the position of full-time Police Officer.*

The Board also agreed to credit him for previous employment as a full time Police Officer for computing vacation leave.

AYES

NAYS

*Patty Carlino
Sean Regnier
Bob Jones*

none

h) Sealer of Weights & Measures Appointment – Josh Hickson - *Upon a motion duly made and seconded and by roll call vote, the Board members voted unanimously to appoint Josh Hickson as the “Sealer of Weights & Measures” for the Town of Lee. This position pays a \$500.00 a month stipend.*

AYES

NAYS

*Patty Carlino
Sean Regnier
Bob Jones*

none

i) Litter Signs and Cigarette Collectors – Peter Hofman- Peter Hofman, Lee Greener Gateway Committee, came before the Board to speak about the Litter Signs and Cigarette Collectors. He spoke about the 7 litter signs. One was stolen and five needed to be replaced. After a conversation with Zack (DPW) the agreed upon locations are: Golden Hill Road (near Rt. 20), Maple Street (both ways), Fairview Street on Rt. (Rt. 102 end) and Marble Street (Park St. end). Peter added that a clean-up of Church Street and Summer St. (High Lawn Farm side is clean-other side of street is not) 1,500 bags of trash were collected. Cigarette butt collectors were placed outside of Timothy’s, Bucky’s, Morgan House (to be replaced), Park near Joe’s Diner, by the Post Office and Housatonic Street.

Peter also mentioned that the paperwork has come in for their \$750.00 grant. Chris Brittain replied that it has been signed and is ready for him. They meet the last Saturday of every month, the next being scheduled for November 27th from 1:00 to 3:00 in the afternoon and to meet at the Quonset Hut. He stated that they are trying to keep the town presentable; though it is an ongoing struggle. Peter thanked everyone that has helped by lending a hand.

j) Town Administrator Search Committee Updates - The Town Administrator Search Committee has met 4 times so far. They are getting close to getting a job description in place. They have asked about the Salary Range and Patty said that she believed it would start at Step 6 or 7. They also asked if moving expenses would be allowed and Patty replied that it is certainly something they could talk about. Sean expressed that he would be willing to entertain accommodating re-location fees. He also said he spoke with Lyndsay and the salary seemed to be in the 80,000 – 95,000 range. The ranges are typically upgraded every couple of years.

k) Lee Youth Commission – Appointment - Upon a motion duly made and seconded and by roll call vote, the Board members voted unanimously to appoint Janet Warner to the Lee Youth Commission for a 3-year term.

AYES

NAYS

Patty Carlino
Sean Regnier
Bob Jones

none

l) Lee Youth Commission – Update - Kathy Hall came before the Board to update them on the Lee Youth Commission. The see-saw that was broken on the toddler playground has been repaired and installed by the DPW. Thank you for making it solid and safe.

Barbara Heller from BerryDunn presented her with a Demographic Profile and Engagement Summary as was discussed at a public meeting on November 3rd. The Demographic Profile is quite concise and almost complete. The provider analysis for recreational opportunities existing in the Town of Lee and are working on elements of the market analysis.

Patty asked Kathy if she knows when we will hear about the financial implications and Kathy stated that Barbara Heller told her they hoped to be done by January.

On another note, Kathy stated that they are ready to put up the ice rink on Saturday, December 4th @ 9:30 AM and are looking for volunteers.

Patty Carlino stated that the Conservation Commission is looking for members. Anyone interested should call the Selectmen's Office. It will also be posted on the Town's website.

5. **Pending Business:** None

6. **Town Administrator:** Interim Town Administrator, Christopher Brittain is still waiting on updates for the Master Plan and Open Space and Recreation Plan. He has been in touch with Berkshire Regional Planning Commission (BRPC) for their proposal for both to be combined jointly and may be ready for the December meeting and to appoint a Steering Committee. He will be working with BRPC for a final plan approved by the Planning Board.

Chris also wanted to mention some Office updates with moves within the Town Hall to better accommodate residents:

- a) All tax payments are on the 1st floor – Town Clerk's office
- b) The Planning /Zoning Board has been combined with the Building Department
- c) Conservation Commission is now located upstairs on the 2nd floor.

The VFW will be celebrating their 100th Anniversary of the Lee VFW in 2022. He'll be in touch with celebration ideas.

Chris attended a meeting with the company that runs the Peaker Plant on Woodland Avenue, and was informed that it should be switched over to battery by the end of 2023. It will be then run by battery instead of kerosene. Good News!

Lastly, a reminder that the opportunity for anyone who wants to participate in the ARPA fund survey is on our website. This will be available on our website until December 24th.

Sean Regnier stated that he is glad to hear about the progress with the Peaker Plant as kerosene is a very heavy polluter.

7. **Next Regular Meeting:** Our next regular meeting will be on Tuesday, December 7, 2021 at 7:00 PM via ZOOM. Patty stated that she hoped everyone would have a happy and healthy Thanksgiving.

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 8:15 PM.*

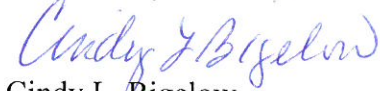
AYES

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