

TOWN OF LEE
SELECT BOARD MEETING
Tuesday March 21, 2023 @ 7:00PM
Town Hall • 38 Main Street • Former Courtroom

Minutes

Members Present: Sean Regnier, Bob Jones, Gordon Bailey

Members Absent: None.

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

1. Minutes: Open Session Minutes of 03/07/2023, 03/08/2023, 03/09/2023

Mr. Jones made a motion to approve the 03/07/2023, 03/08/2023, and 03/09/2023 minutes as submitted which Mr. Bailey seconded and was unanimously approved, 3-0.

2. Public Hearings

a) Alteration of Premise – Bucky’s Tavern, Inc. – 25 Consolati Way

Rob Briggs, one of the owners of Bucky’s Tavern was present. Mr. Briggs stated that they put the outdoor dining in place during Covid and now they are looking to add it permanently to their alcohol license.

Chairman Regnier opened the meeting up to the public. No one came forward.

Mr. Bailey made a motion to approve the alteration of premise application from Bucky’s Tavern which Mr. Jones seconded and was unanimously approved, 3-0.

3. Public Comment

Chairman Regnier began by stating there has been a complaint sent to the Board regarding the intensity at some of the Select Board meetings from the public. Chairman Regnier stated that moving forward, the appropriate place for the public to speak is during the public comment section, and they will not allow any comments after that point of each meeting unless called upon by the Chair. Chairman Regnier stated that they may have a signup sheet at the beginning of each meeting for anyone who would like to speak to sign up, although he does not want anyone to miss the opportunity to speak if they do not have a chance to sign up before the meeting starts.

Mr. Jones added that they are not trying to stifle free speech and everyone should have their say. However, when someone comes up to the podium and is shaking their fingers and screaming, he stops listening, even if he is on their side. He stated that he understands there are issues people are very passionate about, but he asked for everyone to please take a second to gather their thoughts and comments, jot them down, and then the Board will hear them.

Kathy Hall, Lee Youth Commission, began by stating if you’ve read the Berkshire Eagle article, “Meet Nicolas Resca, a Lee teen who is helping the town rewrite its master plan,” you can appreciate the importance of our youth to share their voices for what their perception is for the future of Lee as representatives for organizations such as the Lee Master Plan Steering Committee, the Lee Youth Commission, the Lee School Committee Student Representative, etc. She gave a shout out to our teenagers to join our committees to continue to make Lee the place to be, and introduced Nico Resca. Ms. Hall added that anyone who has not completed the Master Plan Survey will have until the end of March to do so and it can be found on the Town’s website. Ms. Hall congratulated the Town of Lee for being accepted as an Appalachian Trail Community, and congratulated four

new Lee Police Officers - Kenneth Retzel, William Zeininger, Matthew Tietgens and Michael Kahn. Finally, Ms. Hall asked that all trash be kept off the playing fields in the parks.

Jim Castegnaro, 111 Woodland Road, began by apologizing for his behavior at the February 7th meeting and stated he has been under a lot of pressure for the past three years. He apologized to everyone at the table with the Board and the cameraman.

Janice Braim, 35 Church Street, began by stating she watched the February 7th meeting and she understands the aggravation. Ms. Braim asked about placing Public Comment at the end of the meeting. Mr. Bailey stated that was how they used to run the meeting years ago. Admin Brittain stated that it then keeps everyone until the end of the meeting to speak, and sometimes the public wants to speak on items that have already been voted on. The Board stated they could consider doing a public comment portion at beginning and end of each meeting.

Anne Langlais, 25 Union Street, began by stating she rewatched the February 7th meeting a few times and she noticed that before the outburst, some people got up and spoke for maybe thirty seconds, and other people who were calling in were allowed to go over five minutes. She stated that the Board addressed the people present to be nice and behave, but the people calling in were allowed to go on and use names. Ms. Langlais suggested having a timer at the table to keep things on an even keel so there is no favoritism shown.

Mr. Bailey stated that the ACLU (American Civil Liberties Union) has a public policy that lets people know their rights regarding public comment and other speech at local government meetings.

Chairman Regnier stated that he could have done a better job moderating the February 7th meeting.

Mr. Jones stated that he wanted to clarify what he said earlier and if the public wants to get up and shout, point fingers, and call names, they have the right to do so because it is freedom of speech. However, if you want to be effective, you should organize your thoughts.

Tim Gray, 205 Bradley Street, began by stating it was about three years ago when this small group of people decided to tell the people of Lee that the Town of Lee needs a toxic dump, and it was voted on, but the townspeople did not get a vote. But it happened, and now they are fighting the dump. Mr. Gray stated that he has studied PCBs his whole life and knows how toxic they are. He stated today at 4:45pm he received an email that the Boston case will actually move. And now there are some great things happening. He stated that they are waiting for the Board of Health's decision on whether or not the dump is good for the town. People need to know there is a chance to stop this thing.

Janice Braim, 35 Church Street, asked if anything was getting done with the Schweitzer Dump. Admin Brittain stated that they provided the results that HRI shared to Mass DEP. He stated there will be further testing done at the Schweitzer dump that should give results in May.

Chairman Regnier concluded the public comment portion of the meeting.

4. General Business

a. Lead Line Inventory – DPW

Lenny Tisdale, the DPW Superintendent, began by stating the Massachusetts Department of Environmental Protection is requiring all communities that have water distribution to test their service lines to their homes for lead and it needs to be done before October 2025. Mr. Tisdale stated that the forms before the Board authorize the testing, but there is also \$20 million available to all communities to have it done that will not need to be reimbursed to the state.

Gail Ceresia, 161 West Park Street, asked if this testing was going to be done in every home. Mr. Tisdale stated it will not be every home because lead was banned in the mid-1980s, so they can isolate areas that

have been built after the mid-1980s. He stated this inventory will tell us what percentage of lead is present. Mr. Tisdale stated that getting on it now is important because that pool of \$20 million is there and if they do find high levels of lead and it needs to be mitigated, that money should still be available.

Mr. Jones made a motion to have Chairman Regnier sign to give Admin Brittain the authority to sign as the applicant for the inventory which Mr. Bailey seconded and was unanimously approved, 3-0.

b. Appointments:

Board of Assessors - Conrad Decker

Mr. Bailey made a motion to appoint Conrad Decker to the Board of Assessors which Mr. Jones seconded and was unanimously approved, 3-0.

Lee Youth Commission – Nico Resca

Mr. Jones made a motion to appoint Nico Resca to the Lee Youth Commission which Mr. Bailey seconded and was unanimously approved, 3-0.

Fire Services Study Committee – Select Board Member

Mr. Jones stated he would be happy to serve as the Select Board member on the Fire Services Study Committee.

Mr. Bailey made a motion to appoint Bob Jones to the Fire Services Study Committee which Mr. Jones seconded and was unanimously approved, 3-0.

c. Approval of a Seasonal All Alcohol Package Store License Renewal – Rt 102 Package Store

Mr. Jones made a motion to approve the seasonal all alcohol package store license renewal for Rt 102 Package Store which Mr. Bailey seconded and was unanimously approved, 3-0.

d. Approval of One Day Wine & Malt License – St. Mary's School

Chairman Regnier stated that this license will be for an Auction for Education at St. Mary's School on April 29, 2023 from 6:00pm to 10:00pm.

Mr. Bailey made a motion to approve the One Day Wine & Malt License for St. Mary's School which Mr. Jones seconded and was unanimously approved, 3-0.

e. Signing of contingency agreement with Cristobal Bonifaz

Mr. Jones made a motion to have all Board members sign the contingency agreement with Cristobal Bonifaz which Mr. Bailey seconded and was unanimously approved, 3-0.

f. Proclamation for Mary Philpott – nunc pro tunc

Chairman Regnier stated that Mary Philpott volunteered at the Lee Library for over 50 years and the Lee Historical Collection has been named in honor of Mary Philpott.

5. Any topic the Chairman could not reasonably anticipate.

Admin Brittain stated that he wrote up a letter for Board to sign to Congressman Neal stating that the Board supports funding from the federal government for the Public Safety Building.

Mr. Bailey made a motion to have all Board members sign the letter to Congressman Neal which Mr. Jones seconded and was unanimously approved, 3-0.

6. Town Administrator

Admin Brittain stated that Capital Outlay had their meeting and the Finance Committee had their final meeting an hour ago and they've made their recommendations for all of the monetary items on the town draft warrant. He hopes to be able to have a discussion of the draft warrant at the April 4th meeting and be ready for the Baby Town Meeting on April 13th.

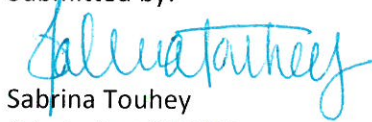
Admin Brittain stated that the Town Election will be on May 15, 2023.

Admin Brittain finished by stating they were excited to bring four new Police Officers onboard. They graduated from the academy on Friday and were sworn in as police officers on Monday.

The next regular Select Board meeting is scheduled for April 4, 2023.

Mr. Jones made a motion to adjourn the meeting at 7:54pm which Mr. Bailey seconded and was unanimously approved, 3-0.

Submitted by:



Sabrina Touhey
Admin Asst BOS/TA

Approved on 04/04/2023