

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

Minutes

**Members Present:** Bob Jones, Gordon Bailey, Sean Regnier

**Members Absent:** None.

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

1. Minutes: Open Session Minutes of 10/17/23, 10/19/23, 10/31/23, & 11/02/23

*Mr. Regnier made a motion to approve the 10/17/23, 10/19/23, 10/31/23, and 11/02/23 open session minutes as submitted which Mr. Bailey seconded and was unanimously approved, 3-0.*

2. Public Comment

Kathy Hall, Chair of the Lee Youth Commission (LYC), began by stating that the LYC is holding Wacky Game Night for ages 5 to 10 and any older siblings on Saturday November 11<sup>th</sup> from 5:30pm to 7:00pm at the Crossway Tower Gym. Parents are asked to stay with their children. She added that the LYC will be looking for help from volunteers, the DPW and Fire Department to set up the ice-skating rink. This year it will be at the Town Park on Main Street rather than the Athletic Field, and she thanked the Congregational Church for use of the space.

3. General Business

a. Berkshire Gas Permits:

50 David Avenue – Install new gas service  
165 High Street – Install new gas service  
150 Fairview Street – Replace gas service

*Mr. Bailey made a motion to approve the Berkshire Gas Permits for 50 David Avenue, 165 High Street, and 150 Fairview Street and have the Chair sign off which Mr. Regnier seconded and was unanimously approved, 3-0.*

b. Approval of De-Escalation Policy

Admin Brittain stated that this is a policy recommended by the insurance company, MIIA, and it gets the Town points towards discounted rates. He stated that it will become part of the handbook.

*Mr. Regnier made a motion to approve the De-Escalation Policy which Mr. Bailey seconded and was unanimously approved, 3-0.*

c. Sign Purchase & Sale Agreement – 505 Stockbridge Road

Admin Brittain stated that this is for a parcel of land (~25 acres) that is currently in between two Town land parcels. It will connect 300 Stockbridge Road (~170 acres) and Longcope Park (~46 acres). This will make about ~250 continuous acres of Town land. The Community Preservation Committee has approved and recommended this purchase for Town Meeting. This will come out of the CPA funds for open space, and is subject to approval at Town Meeting.

*Mr. Bailey made a motion to have the Board sign the Purchase and Sale Agreement for 505 Stockbridge Road which Mr. Regnier seconded and was unanimously approved, 3-0.*

d. Sign Purchase & Sale Agreement – 325 Stockbridge Road

Admin Brittain stated that this parcel of land is part of the 170 acres that the Town currently owns. Under Article 97, in order to get rid of any open space, you cannot show a net loss. There is an opportunity to sell 1.2 acres to the abutter which contains a dilapidated barn. This sale will be contingent upon the purchase of 505 Stockbridge Road.

Admin Brittain stated that if they do not sell this parcel of land, they will likely go back to the annual Town Meeting to appropriate money to demolish the barn before it becomes a bigger safety issue.

*Mr. Regnier made a motion to have the Board sign the Purchase and Sale Agreement for 325 Stockbridge Road which Mr. Bailey seconded and was unanimously approved, 3-0.*

e. Sign Purchase & Sale Agreement – 1185 Pleasant Street

Admin Brittain stated that this purchase is for the former Daley/Casella building and is for Article 1 of the upcoming Special Town Meeting. It is subject to Town Meeting approval and referendum. The idea is to move the DPW to this building and at the same time, the article funds the construction of a new public safety facility.

Mr. Bailey stated that he thinks this is a huge opportunity for the Town to get the DPW out of some poorly maintained buildings. This is a turn-key building. The cost of this building would be at least half of what it would cost to construct a new building. He added that there is enough land there to put other structures on that they may need in the future.

*Mr. Bailey made a motion to have the Board sign the Purchase and Sale Agreement for 1185 Pleasant Street which Mr. Regnier seconded and was unanimously approved, 3-0.*

f. Sign Special Town Meeting Warrant

Admin Brittain stated that there are 9 articles all together. Article 1 is a combined article which purchases 1185 Pleasant Street and 41 Railroad Street, and authorizes a borrowing of \$36.7 million for demolition and construction of a new public safety building.

Article 2 is the opioid settlement money. Every Town in the Commonwealth receives this money. Lee received just over \$67,000. This Article gives the bulk of the money to the Rural Recovery Center in Great Barrington which serves Lee residents, and about \$11,000 to the Lee Police Department for Narcan training and the co-responder program. The money has to be used for opioid related things.

Article 3 is the acquisition of 505 Stockbridge Road.

Article 4 is the disposition of the barn at 300 Stockbridge Road.

Article 5 is a previous fiscal year appropriation. They had four or five invoices from FY23 that were not paid for a total of just over \$6,000. Because they are from a previous fiscal year, it requires a special 9/10 vote.

Article 6 is the acceptance of MGL 41 § 110A. This is because of the Votes Act of 2022, where the last day to register for any Tuesday elections would fall on a Saturday. Accepting this MGL will allow for the last day to register to be on a Friday.

Articles 7, 8, and 9 are Zoning Articles – Accessory Dwelling Units and Short-Term Rentals.

Chairman Jones stated that the Public Safety Information Meeting is available on CTSB's website. It's a great presentation with a lot of details.

Admin Brittain stated that the Finance Committee recommended approval of all articles.

*Mr. Regnier made a motion to have the Board sign the Special Town Meeting Warrant which Mr. Bailey seconded and was unanimously approved, 3-0.*

4. Any topic the Chairman could not reasonably anticipate.

*Mr. Bailey made a motion to appoint Annie Lee and Kimberly Warner to the Lee Youth Commission which Mr. Regnier seconded and was unanimously approved, 3-0.*

Chairman Jones stated that there was an article in the Berkshire Eagle today where the EPA and residents have raised concerns about global warming and the impact it will have on the RoR decision. He added that the proposed truck routes have been released by GE and there will be a meeting with GE, the EPA and the Lee Select Board on November 28<sup>th</sup> at 6:30pm in the LMHS auditorium.

Mr. Bailey stated that two Saturdays ago the Berkshire Eagle had an image on the front page regarding the UDF which misrepresented what is actually happening there. Nothing was to scale and it minimized the concerns of the citizens of Lee. On the second page they had a photo of the dump area with mountains, but the dump will be so high, it'll block that view.

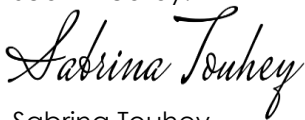
5. Town Administrator – PCB Technical Consultant Update

Admin Brittain updated the Board regarding the search for a PCB Technical Consultant, stating we are down to two consultants; KLEINFELDER and LimnoTech. He stated that the Board will hopefully be able to make a vote at the next meeting.

**The next regular meeting is scheduled for November 21, 2023.**

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

Submitted by:



Sabrina Touhey  
Exec Asst TA/BOS

**Approved on: 11/21/2023**