

TOWN OF LEE  
SELECT BOARD MEETING  
Tuesday November 21, 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 11/07/2023

*Mr. Bailey made a motion to approve the 11/07/2023 open session minutes as submitted which Mr. Regnier 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 Obstacle Course Racing Night for ages 5 to 10 and any older siblings on Saturday December 9<sup>th</sup> from 5:30pm to 7:00pm at the Crossway Tower Gym. Parents are asked to stay with their children. On another note, Ms. Hall added that there have been concerns posted on Facebook about drivers speeding on various streets in Lee, and the person who started the post asked her to mention it at tonight's meeting. She stated that that person also wanted her to give a shoutout to the Police Department for their quick response to those concerns by upping their presence on residential roads. She added another shoutout to the DPW for taking care of the speed sign at the golf course.

3. General Business  
a. CTSB Presentation

Richard Frederick, Executive Director of CTSB, began by stating that his presentation would be regarding the future of CTSB, cable subscriptions, and pending litigation. He stated that he believes some of these things will be 2-3 years out, but he wanted to get ahead of it and avoid any funding issues.

Mr. Frederick stated that CTSB serves Lee, Lenox, Stockbridge, Great Barrington, and Sheffield. Their three cable TV channels (1301, 1302, and 1303) are funded by roughly 6,500 cable subscribers who reside in the five towns. CTSB records and broadcasts town and school board meetings, community events, sports, parades, the Fall Festival of Shakespeare, and so much more. It serves vulnerable and marginalized populations in our community such as elderly, students with disabilities, and non-English speaking communities. CTSB is a vital service to our community and provides a voice on important issues, such as PCB contamination.

Mr. Frederick stated that a technology shift has changed the way we view television. Streaming video is replacing traditional cable TV boxes along with CTSB's current funding model. CTSB will suffer drastic funding losses now that Spectrum has made the Xumo stream video box available and will severely impact services provided by CTSB. Massachusetts is proposing a 5% streaming tax legislation on companies like Disney, Hulu, Netflix and Spectrum to support community television. Senate Bill 34 and House Bill 74 needs to be passed in February 2024. This Act is called "An Act to Modernize Funding for Community Media Programming." If this Bill is not signed into law, community media will need to discuss closures and layoffs within two years.

CTSB needs the support of the community to continue offering full CTSB services. Mr. Frederick stated that they are a staff of four people. They are a broadcasting service that is offered 24/7 and if they were to lose one employee, it would be devastating.

CTSB is asking that the Select Board and community members send letters to State Representatives expressing their concern and support for Massachusetts Bill S.34 and H.74. Mr. Frederick stated that he has letters that can be signed and mailed to Representative William "Smitty" Pignatelli and Senator Paul Mark. He stated that these letters should be sent no later than December.

Mr. Frederick stated that municipalities stand to benefit from this legislation because municipalities will receive 2/5 of the funding, community access stations would receive 2/5 of funding, and the state general fund will receive 1/5 of the funding.

He stated that he will leave copies of the letters to be signed at Town Hall, and if anyone would like a copy, he can be reached at CSTB (413) 243-8211 to mail/email the letter. He also added that if anyone would like to go to CTSB for a copy of the letter, CTSB would be happy to mail it for them.

Mr. Bailey stated that this is also a good time to remind the community that Lee has three vacancies on the Five Town Cable Advisory Committee.

*Mr. Bailey made a motion to have the Select Board members sign and mail the letters in support of the legislation "an Act to Modernize Funding for Community Media Programming" which Mr. Regnier seconded and was unanimously approved, 3-0.*

b. PCB Technical Consultant

Admin Brittain began by stating that the Town has been through a lengthy process to find a PCB technical consultant. They have reached out to ten different firms and have narrowed it down to two companies; KLEINFELDER and LIMNO TECH. Neither company has a conflict with either GE or the EPA and they both meet all the requirements they are looking for (hazard waste materials, transportation, consulting, permits/QAPP, and monitoring).

The Board members all confirmed they had time to go over both proposals. Chairman Jones stated that something that stood out for him was that one company has an office in Washington and the other is in Springfield, MA. His concern is having someone available that can be on site asap if need be. Mr. Bailey added that KLEINFELDER (Springfield, MA) was also very specific on PCBs in their proposal and listed who specifically would be involved in the project.

Admin Brittain confirmed that the Board allocated money earlier towards RoR and there are remaining funds from that that will get them through the remainder of this fiscal year. On the next Town Meeting warrant, they would appropriate money to go another year with the consultant.

*Mr. Regnier made a motion to hire KLEINFELDER as the Town of Lee's PCB technical consultant which Mr. Bailey seconded and was unanimously approved, 3-0.*

4. Any topic the Chairman could not reasonably anticipate.

Mr. Regnier stated that the Master Plan Committee met yesterday and passed their final drafts for Historical/Cultural and Municipal Utilities.

Chairman Jones stated that the Board received a letter from Chief DeSantis (Lee Police Department) regarding the torch run on November 12<sup>th</sup>. Lee Police and Fire were involved and they raised \$9,000 for the Special Olympics. Chairman Jones thanked the participants for all of their efforts.

Chairman Jones added that he'd like to announce that RoR had a meeting this morning and the Committee will be dissolved on December 6, 2023. There was a vote to release a fair amount of the executive session minutes. The vote to release the minutes that involve attorney/client privilege will go to all five Select Boards.

5. Town Administrator –Updates

Admin Brittain began by thanking the Police Department, Fire Department, and the DPW for a successful Open House last week. He added that the December 6<sup>th</sup> Special Town Meeting Warrant has been posted. The meeting will be at 7:00pm at the LMHS auditorium. There is a summary of each Warrant Article available on the Town's website which also lists what vote is necessary for each Article.

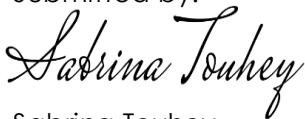
Admin Brittain stated that they submitted the paperwork today for additional funding to complete the bike path design.

He continued stating that the EPA is wrapping up their sampling at Woods Pond and they are working on finishing the fence around the proposed UDF site. Admin Brittain added that the Select Board will be meeting with the EPA and GE regarding PCB transportation on Tuesday November 28<sup>th</sup> at 6:30pm in the LMHS auditorium.

**The next regular meeting is scheduled for December 5, 2023.**

**Mr. Bailey made a motion to adjourn at 7:36pm which Mr. Regnier seconded and was approved, 3-0.**

Submitted by:



Sabrina Touhey  
Exec Asst TA/BOS

**Approved on: 12/05/2023**