

TOWN OF LEE
SELECT BOARD MEETING
Tuesday February 20, 2024 @ 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 02/06/2024

Mr. Bailey made a motion to approve the 02/06/2024 meeting 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) and Lee Library Corporator, began by stating that due to the weather, the ice-skating rink is still not ready for skating; please check the Town's website for updates. She added that the LYC's Second Saturday event on March 9th will be "Kids vs Kids Family Feud Game Night" happening from 5:30pm to 7:00pm at the Crossway Tower Gym. The event is free and open to all children ages 6-12, but registration is required (available on the Lee Youth Commission page on the Town's website).

Ms. Hall added that the Lee Library is hosting a Pokemon Club Party on February 21st from noon to 2:00pm, and "Saving Jazzy" (a musical and visual eco-fantasy) on February 23rd at 11:00am. The Library will also host "Sen-sa-tion-al Stories" every 4th Saturday starting March 23rd until November 23rd from 10:30am to 11:15am.

3. General Business

a) Continued discussion on UDF Reuse

Andrew Silfer was present via Zoom to represent GE.

Admin Brittain stated that GE will include a reuse portion in an upcoming plan submission, and last time they spoke about this, they agreed the most logical reuse would be to plant pollinator plants at the site. Admin Brittain stated that they invited Mr. Silfer here today because the Board wanted to speak to him directly.

Chairman Jones stated that his opinion, and the opinion of those he has spoken to, is that he cannot imagine anyone wanting to go anywhere near the dump site, if it ends up being built. He stated that the only logical thing to do would be to cap it and plant native plants there.

Mr. Silfer stated that the final design document is due February 28th. If the Town's decision is to plant pollinator plants, GE can include that in the upcoming design document.

Mr. Bailey asked Mr. Silfer what GE's experience was with capping off this type of a facility and asked how GE is maintaining those systems. Mr. Silfer stated that Pittsfield has a native-plant ground cover in place that needs to be mowed annually, depending on the growth. The seed mixture applied does not allow erosion to take

place. He stated that other locations in the country have used solar panels.

Mr. Bailey asked if any fencing or signage would be added to keep people out of the area. He also asked how many years GE is required to maintain that area under their permit. Mr. Bailey wanted to know who would take over the maintenance after GE's requirement was complete. Mr. Silfer stated that they anticipate installing a fence around the larger construction area, but he does not remember if there are signage requirements. After construction is complete, they may decrease the size of the fencing. He stated that GE will be required in perpetuity to maintain the UDF.

Mr. Silfer confirmed for Mr. Regnier that GE also owns land closer to Woods Pond that will not be a part of the UDF. Mr. Regnier asked if that area could continue to be used as a recreational area. Mr. Silfer stated that the permit really only focuses on the UDF area, but he does think GE would be willing to discuss some kind of recreational use parallel to Woodland Road or by Woods Pond.

Admin Brittain stated that the area directly to the north of the dump site is all wetland area, and there is a little area that is forested.

Chairman Jones asked how the Town can be assured that this area will be maintained 20-30 years down the road, even if GE changes its structure in the future. Mr. Silfer stated that GE will continue to exist, even if parts of it have separated into different entities. He stated that the legal obligations for this site and other sites will remain with GE.

Bill Mathews, 54 High Street, stated that twenty years ago a report was written as part of thesis work at UMass Amherst's the Center for Economic Development, titled "From Lane to Lee: A Quarry's Potential". The report examines alternatives for the Town of Lee to acquire the Lane construction site once Lane was finished with mining sand. He stated that the report identifies Lee as entering the Post-Industrial Era. The report also includes that the Lane site could be used for recreation and notes that it holds the largest aquifer in Berkshire County. Mr. Mathews stated that he would give the link to read the thesis to Admin Brittain for the Board to read. The thesis can be found here: [From Lane to Lee A Quarry's Potential \(umass.edu\)](https://www.umass.edu/ced/theses/FromLaneToLeeAQuarrysPotential.pdf)

Shirley Miller, 2 Elm Street in Stockbridge, stated that she thinks it is admiral that the Select Board is trying to control how PCBs are handled, but there is new technology that makes it possible to treat the PCBs in the river, and there are plants that can be planted along the riverbanks that can take care of the PCBs. She stated that this would be advisable to do before the dredging of the river is done. Chairman Jones stated that Ms. Miller will probably not find anyone in Lee who disagrees with her, but they are constrained by the existing agreement that was signed by a previous Select Board. Ms. Miller stated that the existing agreement does say that they can use bio-remediation. Chairman Jones agreed but stated that getting them to do it is something else entirely. Ms. Miller stated that Stockbridge is behind the Town of Lee if they would try to put the bio-remediation forward.

b) BRTA – Approval of additional Main Street bus stop

Robert Malnati (BRTA Administrator), Rauley Caine (BRTA General Manager), and Andrea Wadsworth (Lee's BRTA Advisory Board Representative) were present.

Mr. Bailey asked Mr. Malnati if BRTA has considered an alternate route such as stopping at the Airolodi Building instead of Main Street. Mr. Malnati stated that they are still proposing that the bus goes down Main Street for visibility for customers, and

they'd like to take up one spot outside of Zabian's for the bus stop. Mr. Malnati stated that the more visibility the bus has, the more revenue the Town will receive to off-set the cost of running that route.

Chairman Jones asked if BRTA has reached out to any of the business owners on Main Street. BRTA stated that they have not. Mr. Bailey stated that he spoke with Zabian's and they are not interested in giving up a parking space. He stated that it would have been beneficial if BRTA reached out to Zabian's and Kelly's Funeral Home to discuss the timeframe of the bus - seeing that it only plans to run at 5:55 am & pm and 7:55 am & pm.

Mr. Caine stated that the express bus would be new to Lee, but the existing route to Lee would also use this new bus stop. He stated that one space minimum would be all they needed. He stated that it would be seventeen feet for the bus stop, but it would be needed to remain a bus stop all day running every hour.

Mr. Caine stated that they have found in other towns that when non-metered parking spaces become bus stops, they effectively become metered-parking spaces. Right now, the Town doesn't collect any revenue; having a bus stop will allow for revenue. Mr. Caine stated that every fare dollar collected in Lee directly off-sets Lee's assessment at the end of the year from BRTA – there is a financial incentive to gain ridership.

The Board agreed that they would like to have BRTA reach out to Zabian's before they make a decision. Mr. Bailey stated he would be willing to go with BRTA to speak with Zabian's if they find it would be helpful.

c) Sign Warrant for Presidential Preference Primaries

Mr. Regnier made a motion to have all Board members sign the Warrant for the Presidential Preference Primaries which Mr. Bailey seconded and was unanimously approved, 3-0.

d) Sign CDBG Joint Application

Mr. Bailey recused himself.

Mr. Regnier made a motion to have the Chair sign the CDBG Joint Application which Chairman Jones seconded and was approved, 2-0. Mr. Bailey abstained from the vote.

e) Temporary Sign Permit – Lee Historical Society

Mr. Bailey made a motion to approve a temporary sign permit for March, May, September and November from the Lee Historical Society and waive the fee, which Mr. Regnier seconded and was unanimously approved, 3-0.

f) Council on Aging Appointments: Mary Coty, Susan Johnson, & Anne Sterlin

Mr. Regnier made a motion to appoint Mary Coty, Susan Johnson, and Anne Sterlin on the Council of Aging, which Mr. Bailey seconded and was unanimously approved, 3-0.

g) Election Worker Appointments: Jessica Jill Tisdale & Lauren Gagnon

Mr. Bailey made a motion to appoint Jessica Jill Tisdale and Lauren Gagnon as Election Workers based on the Town Clerk's recommendation which Mr. Regnier seconded and was unanimously approved, 3-0.

h) Berkshire Gas Permit – 55 Franklin Street

Mr. Regnier made a motion to approve the Berkshire Gas Permit for 55 Franklin Street to replace a section of gas service which Mr. Bailey seconded and was unanimously approved, 3-0.

i) Continue discussion on PCB Advisory Committee

Admin Brittain stated that since the last Select Board meeting, and after receiving comments from the public, they have made a few changes to the Committee description. This new committee's mission and tasks will remain the same as stated at the last meeting, but the membership will change to add two more members, making it a total of seven; a public relations/communications position and a second scientist.

If the committee is created by the Select Board tonight, Admin Brittain stated that he would post its description on the Town's website and send an email blast to all subscribers, announcing that they are looking for membership.

Mr. Bailey made a motion to create the PCB Advisory Committee under the direction of the Select Board which Mr. Regnier seconded and was unanimously approved, 3-0.

4. Any topic the Chairman could not reasonably anticipate.

Mr. Bailey stated that the Town lost a longtime volunteer, Jerry LePrevost. Mr. Bailey stated that Jerry was on several Boards and Committees for the Town and was a Town Representative for many years. Jerry was also the owner of Henry's Electric, which sponsored many of the Town's youth teams. He was also a member of the Kiwanis and Evening Star Lodge. Mr. Bailey extended their condolences to the extended LePrevost family and thanked Jerry for his services over the years.

5. Town Administrator Report

Admin Brittain stated that the Finance Committee has been meeting weekly on the FY25 budget and they are hoping to wrap that up by the middle of March. He added that he began a draft Warrant that is in the works.

The next regular meeting is scheduled for March 5, 2024.

Mr. Regnier made a motion to adjourn at 7:49pm which Mr. Bailey seconded and was approved, 3-0.

Submitted by:


Sabrina Touhey
Exec Asst TA/BOS

Approved on: 03/05/2024