

TOWN OF LEE  
SELECT BOARD MEETING  
Tuesday March 5, 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 02/20/2024

*Mr. Bailey made a motion to approve the 02/20/2024 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), began by stating that the ice rink is finally closed and has been taken down. She thanked all who helped take care of the rink. Ms. Hall stated that the next 2<sup>nd</sup> Saturday event is this Saturday March 9<sup>th</sup> from 5:30pm to 7:30pm and will be "Kids vs Kids Family Feud at the Crossway Tower (130 High Street). This free event is open to all Berkshire children ages 6-12 and advanced registration is required (available on the LYC's webpage on the Town's website). Ms. Hall added that Loren Nazarov is the new Youth Services Librarian at the library and she listed the upcoming programs that will be held at the Lee Library (available on the Lee Library's website).

Mr. Bailey also thanked the First Congregational Church for use of the park for the ice rink this year.

3. General Business

a) BRTA Bus Stop Discussion

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

Mr. Malnati stated that they spoke with the owner of Zabian's regarding the potential bus stop in front of Zabian's. He stated that Mr. Zabian suggested another location on Main Street, which Mr. Malnati stated would take five spaces instead of one.

Mr. Malnati stated that they did do some research regarding ridership in Lee. From 2022-2024 (going by fiscal year), Lee started out with 17,622 riders and they're estimating this year will have a total of over 30,000. About 15% of that average comes from the downtown stops (Mobile Station, Railroad Street, and outside of Town Hall).

Chairman Jones stated that the Board received a letter from Zabian's and Kelly's Funeral Home stating that they do not want a bus stop in front of their businesses all day long. The new location they suggested is to have the southbound stop on Main Street be in front of Hyde Place (which would eliminate the current Railroad Street stop), and move the northbound stop to the front of the Lee Library.

Mr. Caine stated that another complication is that BRTA is a flag-stop service, so technically, by the books, the bus can stop anywhere on Main Street as long as a passenger flags it down. Mr. Caine stated that, long-term, that is not a good practice, so towns designate specific stops on their main streets. Mr. Malnati stated that from a passenger's perspective, you always want to get off of a bus and see the returning bus on the opposite side of the street, so they would move the current northbound stop.

Mr. Bailey mentioned that Mr. Malnati stated that this new location would take up five spaces, rather than one – but really, they're shifting two, taking up three in front of Hyde Place, and removing the one on Railroad Street. To him, it seems like this would be a wash.

Mr. Bailey also asked about sheltering. He stated that some concerns he heard when he spoke to business owners were that passengers would come into their businesses if it was raining. Mr. Caine stated that passenger amenities are always good. Mr. Malnati stated that they are currently going through their shelter inventory and finding out what it would cost to replace some and perhaps get a few more. He stated that if the Town were to put the slab down, BRTA would come put the shelter up.

Mr. Malnati stated that if the Board would consider these new stops tonight, they could apply for a Temporary Sign Permit and get a sign up to get some feedback from passengers.

Admin Brittain stated that he did reach out to Berkshire Housing, since they run Hyde Place, but he has not heard back from them.

*Mr. Regnier made a motion to approve BRTA's request to install a new bus stop southbound at Hyde Place and relocate the northbound stop to the Lee Library which Mr. Bailey seconded and was unanimously approved, 3-0.*

b) Building Department – Admin Assistant IMA

Mr. Regnier recused himself.

Admin Brittain stated the first step in this process was the IMA for the Building Commissioner. They did not include the administrative assistant because they predicted there would be some turnover and they wanted to let that take care of itself first. This IMA is for Lee, Lenox, and Great Barrington. Stockbridge will join in when they're ready to do so.

*Mr. Bailey made a motion to approve the shared Administrative Assistant IMA for the Building Department and have the Chairman sign which Chairman Jones seconded and was approved, 2-0. Mr. Regnier abstained from the vote.*

c) Hawker/Peddler License Application – Charlie's Bistro Bus, LLC

Anand Kumar Singh, owner of Charlie's Bistro Bus, was present.

Mr. Singh confirmed for Mr. Bailey that he is currently set up behind Burmese Bowl and he is looking to have the option to move around town for certain events. He confirmed he has done business in Lenox, Great Barrington, and Pittsfield and has also catered to private events.

Ms. Hall stated that she had concerns of noise and smell from Charlie's Bistro Bus's generator at the Lee Athletic Field. Mr. Singh stated that they just spent \$4000 on a new generator, which is very quiet. Ms. Hall also asked Mr. Singh if he could station his bus somewhere closer to Main Street during Founders Day Weekend since the Boy Scouts have a hamburger and hot dog fundraiser near the Athletic Field during the event.

*Mr. Bailey made a motion to approve the Hawker/Peddler License for Charlie's Bistro Bus, LLC which Mr. Regnier seconded and was unanimously approved, 3-0.*

d) One Day Sunday Entertainment License Application – Jeff Jam

Jennifer Roosa was present via Zoom.

Ms. Roosa stated that they planned to hold the same event as they did last year. There is no charge to get into the event; the profit is just from what people buy or donate at the event. The event will be held between Railroad Street and Consolati Way on May 26, 2024 from 12:00pm to 5:00pm.

*Mr. Regnier made a motion to approve the one day Sunday entertainment license for Jeff Jam which Mr. Bailey seconded and was unanimously approved, 3-0.*

e) One Day Wine & Malt License Application – Jeff Jam

*Mr. Regnier made a motion to approve the one day wine & malt license for Jeff Jam which Mr. Bailey seconded and was unanimously approved, 3-0.*

f) Waiver of Inspection Fee – First Congregational Church

Mr. Bailey recused himself.

*Mr. Regnier made a motion to waive the inspection fee for the First Congregational Church which Chairman Jones seconded and was approved, 2-0. Mr. Bailey abstained from the vote.*

g) Board of Public Works Updates

Mr. Bailey stated that Chairman Robert Bartini, of the Board of Public Works (BPW), has decided to retire after over thirty years of being a BPW member; he was Chairman for most of those years. Mr. Bartini's expertise and historical knowledge of the Town's infrastructure will be greatly missed. Mr. Bailey stated that he wishes Mr. Bartini well on anything he'll be doing in his future and thanked him for his services to the Town.

Mr. Bailey stated that there is now a vacancy for a BPW alternate member.

*Mr. Bailey made a motion to have the current BPW alternate member, Patrick Rooney, be made a regular BPW member which Mr. Regnier seconded and was unanimously approved, 3-0.*

h) 2024 Road Toll Lottery

Chairman Jones stated that the Board received 15 applications this year for 8 available dates – one date is reserved for the VFW (Memorial Day weekend) and 2 dates are reserved for groups that applied but did not receive a date last year. Chairman Jones had Kathy Hall randomly pull 5 applicants from the 15 for the remaining five dates this year. The other 10 applicants will be given a date in either 2025 or 2026, depending on the date their applications were received this year. The 5 applicants Ms. Hall randomly pulled for 2024 were:

- Lee Lady Wildcats Lacrosse Team
- Lee High School Boys Baseball
- Sons & Daughters of Italy
- LMHS Bands
- Knights of Columbus

4. Any topic the Chairman could not reasonably anticipate.

Mr. Bailey stated that the Select Board has received multiple letters from the LMHS' eighth grade class with their thoughts on what the Town of Lee could benefit from, and he believes it would be great to have the Select Board set up a meeting with the students to speak openly about their requests. Chairman Jones and Mr. Regnier agreed it was a great idea and Admin Brittain stated that he would try to set it up with the class. Mr. Regnier also suggested making it an annual thing with the school's civics class. Kathy Hall also suggested including student government with the civics class.

Mr. Regnier added that the Master Plan Committee has finished the plan and their next step is to hold a hearing on Saturday April 6<sup>th</sup> at 1:00pm in the LMHS auditorium. There will be copies of the plan online and at Town Hall for the public to view and comment on.

5. Town Administrator Report - Grant Updates

Admin Brittain stated that the Town's 40R Density Bonus Payment was approved for \$168,000 for the smart growth overlay district in Eagle Mill. He stated that that was the first of two bonus payments and they should get another one slightly larger than that when phase two happens. The money needs to be used for infrastructure and that will be part of the Town's paving plan for FY25.

Admin Brittain added that the Town also received the Mass DEP Technical Assistance Grant, which will help fund our consultant for PCBs and the Housatonic River. He stated that the Town will also wrap up the ARPA money in 2025. They are not appropriating any additional money from ARPA but there are a couple of things that didn't cost as much as they thought or were done through non-profits. He stated that unless there was any objection from the Board, he would like to put the remainder of the ARPA money towards matching funds for the downtown grant for streetlighting. Admin Brittain stated that the maximum amount left of ARPA funds would be \$50,000, although they do not have a definite number yet. He stated that the Town has to match at least \$54,000 for the streetlights so there will be something on the warrant to supplement that. Admin Brittain stated that that will include redoing all of the lights on Main Street with some special features.

Admin Brittain added that the Chamber of Commerce is going to sponsor the 50-in-50 Mural project that they recently spoke about, and it will be done at 57 Main Street. It is scheduled to be done the third week of July and the Chamber is planning some events around it.

Admin Brittain also stated that he heard from the EPA and the "final" UDF Plan Design has been issued, although the public comment period will likely be about three months. The EPA stated that if the Board was interested, they could hold another public meeting. The Board agreed to schedule a public meeting with the EPA. Admin Brittain confirmed for Mr. Bailey that Kleinfelder will also review the plan. He added that a hardcopy is available at Town Hall but it is also available online.

**The next regular meeting is scheduled for March 19, 2024.**

**Mr. Bailey made a motion to adjourn at 7:57pm which Mr. Regnier seconded and was approved, 3-0.**

Submitted by:



Sabrina Touhey  
Exec Asst TA/BOS

**Approved on: 03/19/2024**