

Minutes of Meeting – April 12, 2023; meeting called to order at 6:00pm. Present: Ed Lane; Neal Maxymillian; Marybeth Mitts. Absent: Warren Archey; Dave Roche.

MM stated that voting by mail is available for the Town Election on May 8.

MOTION by EL, seconded by NM to approve the Minutes of March 29. 3/0 vote.

Citizens Open Forum: Ellen Jacobson and Kate Vaughan reminded everyone about the Fix-It Fair on 4/22 from 1-4pm at the Community Center. Sonya Bykofsky asked for a status update on who the Town's ADA officer is and if accommodations have been made to assist with voting for those unable to attend town meeting. She also stated that per the Open Meeting Law, unapproved Minutes are to be posted within ten days of a meeting. Finally, she asked that registration at the upcoming town meeting be sped up so that people aren't waiting in line with the meeting having begun. Courtney Gilardi questioned why no documents submitted by residents with regard to the wireless communications bylaw have been posted to the Town website. MM stated that the proposed bylaw deals with the locating of towers, and NM explained that the Selectmen have no authority to change what another elected board brings forth. Planning Board member Kate Vaughan stated that the Planning Board reviews and looks at all submitted documents even if they are received just prior to a meeting. Josh Bloom from Lee asked to speak regarding the Rest of River topic. NM stated that he must recuse himself from the discussion due to a conflict of interest, which would leave the Board without a quorum. Mr. Bloom, however, assured him that he would not be speaking about anything that would cause NM to have to recuse himself. Mr. Bloom stated that at the 3/27 Rest of River meeting there was a hidden agenda item for the approval of expenditure of funds. He feels that Lenox should select a new representative who will represent the interests of Lenox. Claire Lahey of Lee stated that she believed that the toxic waste was going to be removed from the area, only to find out that it will be staying in the county. She feels that the money from the towns is going to work against the residents rather than for legal services to fight the issue. Gail Ceresia of Lee stated that she also thought that the \$15,000 appropriation to the committee was to fight against the toxic dump. She would like to see alternative technology considered. Amy Judd wanted to clarify a statement made earlier about documents submitted to the Planning Board simply being a "cut and paste" from other bylaws. She stated that that only occurred once. Jerod Webber stated that while he doesn't have all the facts regarding the Rest of River issue, he is upset about toxic materials being dumped in the area, and he is wanting to learn more.

Consent Agenda: MOTION by EL, seconded by NM to grant permission to the school music club to use Lilac Park on Friday, June 9 from 6-8pm for a concert; approve the Local Mitigation Plan for the Town; approve two, one-day A/A licenses to Rachel Fox for July 21 and 22 at the Kemble Inn; become a Tanglewood Business Partner. 3/0 vote.

ATM Warrant: The Board reviewed the warrant articles for the May 4 Town Meeting. EL stated that the Town is completely covered by ADA rules – we have done sign language, day care and continue to work on how best to keep the registration lines moving. MM stated that the warrant is well laid out, and the meeting should move along nicely. MOTION by EL, seconded by NM to approve the May 4, 2023 Annual Town Meeting warrant as presented; and further, to call the Annual Town Meeting for Thursday, May 4, 2023 at 7pm in the Duffin Theater of Lenox Memorial Middle High School. 3/0 vote.

By roll call, MM, NM and EL voted to go into Executive Session at 6:38pm to discuss strategy with respect to potential litigation.

Minutes Taken By: _____ Minutes Accepted By: _____
Mary Ellen Deming Clerk
Director of Administrative Services Board of Selectmen