

Minutes of Meeting – July 28, 2021; meeting called to order at 7:00pm. Present: Ed Lane; Marybeth Mitts; Dave Roche; Neal Maxymillian; Warren Archey.

Announcements: MM thanked the DPW and Public Safety personnel for the excellent work done over the course of the past few storms.

MOTION by NM, seconded by DR to approve the Minutes of July 14 and 19. 5/0 vote (7/14) and 4/0 vote with EL abstaining (7/19).

Citizens Open Forum: Susan May stated that the elderly, disabled and families living at the Curtis should not need to worry about their health caused by the installation of a cell tower on the roof of the Curtis building. People living near a tower in Pittsfield are getting sick. Sonya Bykofsky asked if a wireless zoning study could be performed. She also mentioned that CTSB was told that the LHA meeting was not open to the public, and they were not allowed to tape the meeting. This is an Open Meeting Law violation, and she wondered where she should file the paperwork. Courtney stated that the tenants are afraid to speak up for fear of being evicted.

Consent Agenda: MOTION by NM, seconded by DR to accept a monetary donation to the Fire Department; grant permission for the Josh Billings Runaround to utilize town roads for their event on Sunday, September 19; permission to the Chamber to utilize Lilac Park on 9/25 from 10-5pm for Apple Squeeze activities. 5/0 vote.

Max Khaghan, Principal of the Apple Tree Inn, appeared before the Board seeking permission to host a multi-day event on September 3-6, 2021 on their property. He explained that they would like to host a health and wellness festival, and that the outdoor music would be folk, jazz and electronic. After some discussion, MOTION by NM, seconded by DR to grant permission for said event. 5/0 vote.

Andy Wrba from the Berkshire Jazz Collective, appeared before the Board seeking permission to use Lilac Park as part of the Lenox Jazz Stroll on September 11. MOTION by NM, seconded by DR to grant permission for the Lenox Jazz Stroll to utilize Lilac Park as part of this event. 5/0 vote.

Jeff Borden from the Church Street Inn appeared before the Board to introduce himself and explain what his thoughts were with regard to outdoor music. MOTION by NM, seconded by DR to grant an entertainment license to the Church Street Inn, including permission to host acoustic music to be played by the side of their building on Friday and Saturday evenings until 9pm through the end of September. 5/0 vote.

New Business/Liaison Reports: None.

By roll call, NM, DR, EL, MM and WA voted to go into Executive Session at 7:23pm to discuss strategy with respect to negotiations with non-union personnel (Town Manager) and to return to public session.

At 7:50pm, the Board returned to Public Session. MM stated that there will be no modifications to the Town Managers' contract. However, with the Town facing \$10M in capital projects, a new master plan to be implemented, and restored structural balance needed to our long-term fiscal plan post COVID, the focus of the TM in its entirety is necessary. Lenox has many significant projects ahead that will require his full attention. Accordingly, we propose to entertain, as a board, the notion we terminate our Intermunicipal agreement with the Town of Lee, and bring CK back to Lenox as full-time Town Manager. EL stated that we were all hoping for the best but understand that bumps in the road happen. Lenox has many complex projects on the horizon we need to focus on, and we need the attention of a full-time town manager. DR agreed, and stated that Lenox has grown to a \$30M business which would require a full-time CEO, and we need a full-time Town Manager. WA stated that he was always amazed that CK could handle two communities so well, but the time has come when we need him full-time. MOTION by NM, seconded by DR to terminate the Intermunicipal Agreement with the Town of Lee for a shared Chief Administrative Officer by exercising the Boards' option under Section 3-1A of the agreement and further, to authorize the Chair to send written notice of this vote to the Lee Board of Selectmen as well as the Town Clerks of Lee and Lenox. 5/0 vote. MM stated that this was a difficult decision to arrive at, but that she is looking forward to CK coming back as full-time Town Manager.

Meeting adjourned at 7:58pm.

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