

Minutes of Meeting – November 15, 2023; meeting called to order at 6:00pm. Present: Ed Lane; Marybeth Mitts; Max Scherff; Dave Roche. Absent: Neal Maxymillian

MOTION by DR to approve the Minutes of the November 1, 2023 meeting of the Lenox Select Board seconded by MS 3/0 vote DR abstained.

Citizen's Open Forum: EL asked how many people there were in attendance to speak and explained how the Board handles the Open Forum normally, explaining how the Open Meeting Law prohibits a back and forth on topics not on the agenda. He suggested they convene with 1 or 2 Board members after the meeting to discuss concerns about Rest of River in a format that allows for dialogue.

General Business:

MOTION to approve the One-Day A/A request if Linda Stripp/Mezze Events, January 6, 2024 from 4:30-10PM at Ventfort Hall by DR, seconded by MS 4/0 vote

DR asked if anyone wanted to speak for Citizens Open Forum about anything else, EL asked the public if there was anyone that wanted to speak on other matters than the Rest of River. No one requested to speak at that time.

MOTION to open the Annual Tax Classification Public Hearing by DR, seconded by MS, 4/0 vote. Tom Romeo thanked the Select Board for the opportunity to present this year's data from the Board of Assessors. He introduced the Assessor's Clerk, Heather Durant, and Board member Wayne Lemanski. TR discussed an increase in values but less than last year, he talked to medians of residential single-family homes versus condominiums and commercial and industrial medians and how they compare to other communities. Though comparison to other communities is not a meaningful metric, the change in Lenox is typical in the range of communities that the consultant deals with. Discussed tax levy, new growth, and potential challenges for next year.

TM presented and discussed the Select Board's role in Tax Classification discussed the factors that could push tax bills higher and those that would push bills lower, Fiscal Year 2023 Pro Forma Residential Factor 0.923, FY2024 Pro Forma Tax Factor Options and staff's recommendation: maintain current residential factor. DR talked about inflation and tax effects and how to keep the taxes affordable and thanked the Board of Assessors for their work. MM attends BOA meetings to learn more and voiced her appreciation for the Board of Assessors as did EL and MS.

MOTION to close the public hearing by MM, seconded by DR, 4/0 vote.

MOTION to adopt a residential factor of .923 for the purpose of determining the fiscal 2024 tax rate by DR, seconded by MS, 4/0 vote.

TM reviewed the 7 articles on the Special Town Meeting warrant draft.

MOTION to call a Special Town Meeting for Thursday November 30, 2023 at Lenox Memorial Middle and High School, 197 East Street, Lenox AND, FURTHER, to approve the warrant for said Town Meeting as prepared by the Town Manager by DR, seconded by MS, 4/0 vote

Public Comment

Marie Field, Housatonic St. – implored the BOS to work with the Town of Lee to seek a better solution, encouraged that the Town hire a consultant. Provided a petition signed by Lenox residents. Spoke of the Tri-Town Board of Health meeting and the potential changes to the plans. Wants Town leaders to work together to get rid of the dump.

Debra Kelly, 74 West St – Appreciates the willingness to work with the other towns and discussed the landfill liners, soil permeability, and location.

Marina Smith, 43 Walker – Talked to being a proud Lenox resident and her concerns about the truck traffic from the cleanup. She has concerns about what would be released into the air from the cleanup operations and how that will affect the health and future of her child and the children in the town. She suggested that the PCBs be removed out of state by train and that the town oppose the dump.

Laura Bergman, 12 Woods Ln – Spoke about her family moving to Lenox for wellness. Asked that the full Board attend the 11/28/23 EPA meeting in Lee, unless already citing a conflict of interest.

Amanda Shanker, 13 Bolton Dr – Asked that the BOS join with Lee and Stockbridge. Said that Dean Tagliaferro of the EPA suggested that joining together may make the EPA reconsider the dump. Asked for trains versus trucks for transportation. Talked about tourism and the potential effects of a dump and trucks. Asked that the Board do all they can to protect health and transparency.

Susan McNinch, 421 East St. – Talked about the Hudson River cleanup and that the results of that cleanup should be considered.

Jared Weber, 42 Golden Hill Rd. – Wants a public ongoing working group with the Lee Select Board. Talked to comments by Dean Tagliaferro at the Tri-Town Board of Health meeting November 1st that there were a few outcomes: accept plan, accept plan with comments, or submit for a rewrite. Promotes delaying the project to allow more time for a preferable plan or to rescind the 2020 contract. Wants a Select Board that will publicly state that a dump is bad for Lenox. Suggested that comment made by united Select Boards will carry more weight than those made by single towns.

Pheonix Haynes, Crystal St. – Moved to town recently with her family, discussed transparency issues and concern that people don't know about the plans and curious to know why public was not involved. Concerned about the trains and safety for their children.

Roberta Bianco, 39 Golden Hill Rd. – Puts time into being a good steward of the Town. Asks if the dump would have been approved in a different area that would affect residents on the Western side of Lenox. Asked that the Board work with Lee and Stockbridge and not allow a dump in their front yards.

Jane Glasser, 64 Walker St. – Upset to hear about the pain that people are experiencing. Hope the community can make peace with the situation.

Steve Turner, Tucker St. – If the material becomes airborne on Crystal St. that school buses pass on that street.

Paula Downing, Lasher Ln. – Asked how to communicate with the Board effectively. Asked about community impact study. Wants it started over for a green cleanup. Talked about tax rate decline and tourism effects.

Molly Lyon Joseph, Cliffwood St. – Runs restaurants in Lenox, related her responsibility to her employees to that of running the Town. Asked the Board to join with the other towns and that we are stronger together.

EL stopped to clarify that Lenox has reached out to the other Towns already and is working with them now. Explained Lenox prefers rail.

Jared Weber, 42 Golden Hill Rd. – Asked for evidence that the Towns are working together. Feels there is a breakdown in communication with the constituents.

Kay Oft 8 Golden Hill Rd. – Wanted to commend the TM about the tax classification presentation. She sees her tax bill being affected by the cleanup and that the town should factor in a decline in values.

Paula Downing, Lasher Ln. – Confirmed contact information for the Board; selectmen@townoflenox.com and asked why she had not heard back from the Board.

Mark Milne, Housatonic St. – Talked to destruction of the river, leftover pollutants, and the endangered species. Spoke to failures of equipment and materials. Feels the project should be aborted. Cited the dredging of the Hudson was a failure. Objects to the entire project.

Matt Ruddick, Golden Hill Rd. – Asked the reason for the cleanup efforts and the 25 million dollar figure.

EL invited the public to stay on for conversation with him after the meeting adjourns.

MOTION to adjourn by DR, seconded by MS, 4/0 vote.