



TOWN OF LEE

32 Main Street, Lee, MA 01238

www.lee.ma.us

Select Board

Rest of River Municipal Committee

September 19, 2023

Dear Committee Members:

The Town of Lee, Massachusetts is hereby notifying the Rest or River Committee (RoR) that it will withdraw its membership with cause effective December 31, 2023. Section 4b. of the agreement states that a member may terminate its participation upon 30 days without cause and that municipality will not be reimbursed contributed costs incurred for negotiation. The IGA, however, is silent to a town terminating its participation with cause. In this case we feel that there is cause for the Town of Lee withdraw from the committee namely...

1. On March 27, 2023 the RoR voted to support the GE in the First Circuit Court to place a toxic dump in the Town of Lee.
2. On multiple occasions in 2023 open sessions, the RoR refused to let Lee Residents Speak.
3. On March 27, 2023 the RoR violated Open Meeting Law on an item to fund legal representation to support a toxic dump in the Town of Lee at the First Circuit Court.
4. The RoR refused to accept mediation requests by the Town of Lee. Moreover, RoR intentionally delayed mediation in an effort to deprive Lee of any meaningful opportunity to timely mediate a dispute.
5. The RoR chair stated in an email that Lee was an "opponent" of the RoR committee and told RoR attorney Matt Pawa, "If you did want to discuss strategy with the Committee it might be better to do so closer to the May 4th date in case our Lee Committee member opponent gives those discussion comments to HRI's attorney (alternatively, and having watched way too much TV, you could provide misleading information to throw their attorneys off track.)"

Due the circumstances outlined above and in accordance with the terms of the settlement agreement, we demand that the funds outlined below be released to the Town of Lee on or before December 31, 2023. In this regard, RoR through its chairman and with the apparent approval of the committee, has violated the covenant of good faith and fair dealing implied in every contract. The purpose of the agreement was to protect all towns, not to allow the member towns by consensus to disenfranchise the Town of Lee.

The Town of Lee demands payment of \$25,394,789.28 plus 45.90904% of interest accrued between the date of this letter and payment made to the Town of Lee.

Escrow Account Balance	= \$57,169,660
Contributions from other towns	- \$457,044.14
Monetary Reserve Fund	- \$1,500,000
Lee Funds owed to the RoR (2020-Present)	- \$63,168.15
Balance	= \$55,149,447.71
x 45.90904%	= \$25,318,582.01
Contributions from Lee 2013-2019	+ \$76,207.27
Total	\$25,394,789.28

FURTHERMORE, when the Rest of River Committee is dissolved Lee shall receive 45.90904% of any funds remaining in the monetary reserve fund.

The Town of Lee requests the RoR committee vote on the following motion by October 31, 2023.

“Move to accept the termination of the Town of Lee’s participation in the Rest of River Municipal Committee with cause, and to release the sum of \$25,394,789.28 plus interest accrued from September 19, 2023 to the release of funds from the RoR Escrow account. AND, to pay the Town of Lee 45.90904% of any funds left in the monetary reserve of \$1,500,000 when the RoR is dissolved.”

Should the committee fail to comply with the terms outlined above, the Town is prepared to take legal action against the Rest of River Municipal Committee.

Sincerely,

Bob Jones

Gordon D. Bailey

Sean Regnier

Chair