

Selectboard Meeting Minutes

August 14, 2019

6:00 PM: Open Meeting

Quorum present: Bernie Fallon (BF), Chair; Doane Perry (DP); Eric Shimelonis (ES) and Select Board (SB). Also, present: Town Admin Marie Ryan (MR) and David Jenkins (DJ) Town Counsel from KP Law, Curt Wilton (CW) Highway Superintendent and Peter Skorput (PS).

Press in attendance: Terry Cowgill (Berkshire Edge), Heather Bellows (Berkshire Eagle) and the Berkshire Record.

Board reviews and approves warrants; payroll and vendor as well as minutes from July 31, 2019 SB meeting.

Board approves and signs deed for purchase of Card Lake Inn Parking Lot and request for Chapter 90 Money for Swamp Road presented by Curt Wilton, Highway Superintendent.

Agenda Items/Action/Discussion Items: Meeting Opened at 6:10 PM

Board approves Unanimously following appointments: (motions by BF and 2nd by ES)

Michael Renton and Lukas Horn as Part Time Police Officers
Brain Hoskeer as new Animal Control Officer
Marie Ryan as Assistant Treasurer

Proclamation – ES read a proclamation in regards to Tolerance, Kindness and Compassion for the Town of West Stockbridge. A discussion ensued with full support. The Select

Board decided to review the wording and come back in a future meeting to vote on adopting this proclamation.

Solar Field Planting- MR presented a drawing of future planting plans from the Turnpike to cover the Solar Field on Rte. 102. Curt Wilton stated that this plan should be completed in the fall.

Vision Committee – Joe Roy presented a list of 4 new members for the Vision Committee to be appointed by the SB. (Elizabeth Digrigoli, Paul Cunningham, Gary Schieneman and Michelle Laramée-Jenny) BF made motion to appoint all members, ES seconded, no further discussion, vote was unanimous.

Joe Roy presented an update by the Vision Committee (see attached) listing their main objectives currently. In the future, he would like to see the SB minutes so they know what the SB is working on in order for the Committee to work with the SB on issues.

Other Actions/Discussions:

Swamp Road- Lisa Korte discussed the heavy large vehicle traffic and speeding vehicles on Swamp Road. She asked the SB to see if there was a way to not allow the large trucks from travelling on Swamp Road and have more police presence for speeders. The Police Chief Marc Portieri said they will be moving the speed trailer to Swamp Road and will increase police presence. Curt Wilton stated that as far as the large vehicle traffic, we could petition the State to eliminate trucks on certain roads but there are specifications that have to be met. BF asked MR to look into this petition.

Executive Session:

7:06 PM - At this time BF told the audience that the Board will be entering into executive session and then the Board did a roll call. BF motioned to go into executive session, ES voted yes and DP also voted yes.

Fire Chief Peter Skorput stated he wanted to have this part of the meeting as open session. The Board recognized and voted unanimously that the meeting will be in open session.

BF gave a statement to set the goal of having a productive positive meeting and for all to work as one community for the betterment of the Town. He asked for everyone to respect and appreciate each other. He then stated that the meeting will run as follows; ES will make a

statement and then Peter Skorput will have the opportunity to respond. BF asked that the audience not speak until the end.

ES acknowledged that PS has had a long service to the Town which he appreciates. ES has concerns about the functioning of the Emergency Services and that this is not a joyful situation but that he feels the need to discuss. ES stated that when he first moved here, he had a lot of experience as a Fire Fighter and he joined the department. Once part of the department he saw the need to help out and offered because he felt his experience would be helpful. He mentioned that the Town had an independent company do an audit and assessment of the Fire Department and that many of the suggestions have not been completed. He felt the department can do better and that the SOPs are not up to date.

DISCUSSION:

ES – Asked PS what he thought of the assessment letter to the town.

PS- The person who came to see the department only stayed for ½ hour and never asked to see the SOPs. However, we have initiated almost everything he recommended.

ES – Asked CW (who was a Select Board member at the time), why did you ask for the assessment?

CW- People had concerns so the audience at the time asked for this to be done. I took it as a learning tool. When it was first done, we had some traction on improvements but it died out.

ES expressed that as a new member to the Fire Department, the things he encountered were alarming and that the department needs to have more organization and order because it is about life and death. The Board feels the need to identify where we stand so we can all move forward as a community.

BF again let everyone know that this is a meeting not a hearing and he asked DJ what the difference is. DJ stated that a meeting is less formal and the purpose is to discuss where we go from here. DJ said that a hearing would have specific charges and due process.

PS spoke to the fact that he insists that the SOPs are all updated periodically and he uses them to train the members. They all know what they are doing on a call. PS said he felt insulted. PS said he felt unprepared for this meeting since the Board did not give him any information on what charges they were going to discuss.

ES said he did not intent for this to be an insult or to criticize, it is just a question of leadership and he did not feel that the recommendations in the assessment had been followed.

ES – Brought up an incident in August 2017 when the Fire Department lost its' tax-exempt status and asked PS to comment about what happened.

PS – The person who had been doing their paperwork had quit and took all the paperwork with them and won't give anything back. This is an association issue not a Town issue PS said and doesn't have anything to do with the Town.

A discussion ensued in regards to the timing of the loss of tax-exempt status and missing files. ES said he tried to help with getting that status back but records went missing. PS said he acknowledged that files went missing but he does not know what happened to them and again PS stated that this is an Association issue not a Fire Department issue.

ES- What is your policy on 16-year-old members, junior members?

PS – They are not full members, they do not participate in any hazardous or dangerous situations. They go on calls to observe only, to learn.

ES- To be clear on the policy, when I drove, we had minors on the trucks and I was uncomfortable with that. The state law states that minors cannot ride on the trucks.

PS – Junior members usually travel with their mothers to the scene. Both minors in the department have their mother's as members.

ES – I am not criticizing, just stated that there needs to be policies.

DJ – Junior Fire Fighters are not allowed to ride on emergency vehicles due to possible injuries, especially since they cannot even take the exam until they are 19.

PS – They currently do not ride on the trucks now with a policy he started after he got a letter from the SB stating not to allow anyone under 18 on emergency vehicles.

ES – Another example in August 2018 on an EMS call, that when I went to a call, a senior member came to the scene in a truck that had all the equipment on it and kept talking loudly on his cell phone and was rude to the daughter of the patient. The senior member asked why they even called him. That the senior member got mad and left the scene with the truck that had all the equipment on it. ES said the woman died the next day.

PS – That senior member did not drive the truck that day, he used his own car. The woman had cancer, the reason she passed away.

Senior Member (George Allen), said that he drove his own car to the scene and that he doesn't remember being rude and he was sorry if he came across that way.

BF asked for the conversation to move on. DJ then asked if PS has a harassment policy in place. PS said they did not. DJ stated that they need to do that and have a record of each member receiving the policy and keep that acknowledgement record. PS said he would do that.

ES – There is an ethical issue of misuse of Town property/Town representation for political campaigning. Your fire fighters campaigned for you using the Town truck and wearing their FD shirts. I was told that residents felt uncomfortable saying no to a fire fighter.

PS – If they did that, they did it without my knowledge. They did not use fire trucks, they used their own vehicles.

DJ – Asked PS if they have a Facebook page for the Fire Department and PS said yes. DJ stated that they can not use that for political events. PS asked if the Fire Department could do that if created their own Facebook page for the Association. DJ said he could not advise on that but that he suggests not using the Town FB page in the future. PS stated that things were done with good intentions and not to intimidate anyone.

ES – There was an incident at 14 Albany Road in which the Richmond Fire Chief, Steve Traver commented on a concern he had. ES said that Chief Traver told him that when he got to the scene that West Stockbridge fire fighters were coming out of the house with no air packs and that the CO2 level was at 800ppm. ES stated that this situation is dangerous and that they were not following the SOP. There is a gap in the training because the members did not follow procedures.

Fire Department Members – stated that when they first entered the house it was only 100ppm and they went outside and got their air packs. They stated that when Chief Traver arrived they already had their packs on.

ES – Stated that the report does not state all this. He had major concerns on the reporting and that it needs to be more detailed, especially if someone gets sick.

PS – We report name, address, vitals, observations and then we give top copy to EMS. What else did you want us to write?

ES – One big issue is that what you have left, it is the bottom carbon copy which is barely legible and you need to have that medical reporting to protect the Town.

PS – Asked what else do you think we need to document?

ES- Stated that the issue is without proper documentation, the Town is liable.

PS – We are not liable, no member is liable, that is the law.

DJ – That is true but the Town can be sued.

ES – There have been shaky management policies and we are concerned about the Town being sued. There have been lost financial records, forms being filled out incorrectly, failing to report updates, all this, 3 years since the assessment had been completed. The FD is 10 years behind where they need to be on planning and organization.

PS – What did I not do?

DJ – Asked if PS has a training officer and did he have training from the National training course.

PS –No, we are all part time and have jobs and the trainings are all at the other end of the state.

DJ – Do they have ICS 100-700 training?

PS – Yes

DJ – Do they have 300 Level training?

PS – No

DJ – Is anyone at 400 Level?

PS – Yes, I am.

DJ – Do you have at least 2 training sessions per month?

PS – Yes, our Lieutenant does 3 per month.

ES– There has been an issue with water supplies since 2016. Do you have any concerns about the water supply?

PS – Yes, we have one that is an issue down by sewer plant. We flush 2-3 hydrants once a month.

ES- Do you have a maintenance program set up?

PS – Yes, we do.

BF – The Board feels that there is an issue of organization.

Earl Moffatt (previous Selectman) – All these issues have been ongoing. These are all issues we were dealing with years ago. Nothing has been improved, the responses are the same with no progress. The Chief's job is administrative supervision and it isn't being done.

BF – I appreciate everyone's input, but we need to move on to get through this process.

A discussion ensued in regards to trying to be less critical and have a productive meeting.

PS – Stated that he has done 99% of what the assessment recommended and he did not like the accusations.

BF – Asked for everyone to take a step back .

John Whalen – I have respect for PS and the FD but that as a community member, ES is talking about lessons learned and we need to be accountable and can be better.

PS – I value criticism and the door is always open. I don't like to spend money on things we do not need. I do complete training and keep the equipment up to date at all times.

ES – Thank you for coming and listening. Let's work together to improve this.

BF – The Board needs to go through the assessment report so we can support the FD and have organization. We have a great FD with a lot of enthusiasm and a good influence for teenagers.

DP – I am honored to be on the Select Board and look forward to helping everyone.

BF – The Board will create a Performance Improvement Plan to help with communications and get back to PS.

PS – I can attend a SB meeting once a month and give an update on the FD.

DJ – The assessment suggests that PS do a monthly update to the SB.

BF – We all need to work together and better.

DP – Thank BF for guiding this conversation.

MR confirmed with the Select Board that their next meeting would be on Wednesday, August 21st at 6 PM.

Meeting adjourned at 8:45 PM

Respectfully submitted,

Marie Y. Ryan

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Town Administrator