



Select Board

21 State Line Road PO Box 525 West Stockbridge, Mass.
01266-0525

Tel. (413) 232-0300 x319

Fax. (413) 232-7195

E-mail: admin@weststockbridge-ma.gov

Select Board Meeting Minutes Meeting via Zoom January 19, 2021

Open Meeting

Quorum present: Roger Kavanagh, Select Board Chair, Eric Shimelonis and Kathleen Keresey, Select Board Members, and Marie Ryan, Town Administrator.

Others Present: Lucy Prashker, Chair of Regional School District Planning Board, Peter Taylor, Vice-Chair of Regional School District Planning Board, Finance Committee Members: Bob Salerno and Dan Buehler, Building Inspector Brian DuVal and Police Chief Marc Portieri.

Roger called the meeting to order at 6: 04 PM.

Eric made a motion to approve the minutes from the December 14, 2020, December 21, 2020 and January 4, 2021, seconded by Kathleen.

Kathleen noted a change in some wording in the January 4th meeting minutes, Eric revised his motion to include the revised version of the January 4th minutes per Kathleen's revision.

Roll call vote:

Eric, Yes Roger, Yes Kathleen, Yes

Motion Passed.

Regional School District Planning Board (RSDPB) Presentation:

Roger introduced Lucy Prashker, Chair of the RSDPB and Peter Taylor the Vice Chair. Lucy provided background information on the formation of the Planning Board and its statutory mandate to evaluate the educational and financial feasibility of consolidating the Berkshire Hills and Southern Berkshire Regional School Districts. Lucy shared the screen to review the letter the RSDPB sent to all 8 towns that covered RSDPB background, Phase 1 accomplishments, Phase 2 plans and the details of the estimated Phase 2 budget, which is \$183,700. She added that the RSDPB is requesting \$15,000 from each of the 8 member towns which would provide

\$120,000 and that it is applying for a \$125,000 grant from the State Regionalization grant program. Depending upon the funds received from the State, the \$15,000 funding request could be reduced before each town has to finalize the warrants for the May Town Meetings.

Eric thanked Lucy and the RSDPB members for their hard work and for the informative presentation. He gave his full support for the funding request as did Kathleen and Roger.

Finance Committee members, Bob Salerno and Dan Buehler added their enthusiastic support of the funding request.

Town Administrator Updates:

- Stuart Saginor, Executive Director of the State Community Preservation Coalition said there is no reason to hold a Special Town Meeting just to approve a CPA Bylaw, that it could wait for the Annual Town Meeting. He said if the Select Board would like to get a head start on this, they could appoint an Ad Hoc CPA Committee. This committee should include the people that will eventually be the permanent members on the CPA Committee once the bylaw has passed and is approved by the Attorney General's Office.
- Marie contacted Senator Hinds' office to ask about a railroad stop in West Stockbridge that had been mentioned as a possibility in the not too distant past by the Senator during a visit to West Stockbridge. An aide to the Senator said that it may have been a consideration in the past, but nothing is being discussed or proposed at this time.
- Most of the Town departments have submitted FY22 preliminary budgets and budget books are being put together. Marie is working on the Town Report and the departments are beginning to turn in their reports.

Building Inspector Brian DuVal Update:

The Board asked Brian to attend the meeting to talk about the process he follows in response to zoning violations. Brian explained that in order for him to investigate a zoning violation, he has to have a complaint in writing with the person's name on the letter and this person has to be someone who has standing, such as a neighbor or someone directly effected by the violation. He will also accept a written letter from the Select Board in regards to a resident's complaint. In response to questions regarding William Kie's property, Brian responded that as long as he has been in his position, things on that property have been let go.

Brian said he has sent numerous zoning violations to William Kie in the past regarding the storage of assorted vehicles / parts on a separate lot he owns which is not approved for anything but a single family home. He added that these violations have been ignored and even though he has brought these violations to the attention of Select Boards, including the current Board, they keep renewing his Class II / III licenses.

Roger asked Marie if she had received such a letter from Brian before the current Board approved his license renewal and she said she had not. Roger asked her to check to make sure and to advise the Board about what she found. He also asked Brian to send Marie another copy of the letter he sent previously and Brian said he would.

In a discussion about unregistered vehicles, Brian told the Board that is a civil violation of a town bylaw, not a zoning violation and therefore not part of his Zoning Enforcement responsibility. He suggested that a bylaw could be created for property maintenance and said that he has brought this to the attention of the Planning Board in the past but no action has been taken. Eric thanked Brian for attending the meeting and making the process clearer.

Police Chief Marc Portieri update:

- The department had 7,468 calls last year. Roger asked what constituted a “call” and Marc explained it is not just calls to the Police, but also all the activities that the Police log during their patrols, such as door checks when they make their rounds.
- Officer Brandon Messina is still at the Academy and is on track to graduate on March 5th.
- COVID concerns: Sergeant Rosario Messina and Officer Michael Renton both had positive COVID tests and were quarantined. Rosario returned after his quarantine and Michael will return tomorrow. All other officers were negative. Police vehicles were sanitized and an outside service was hired to sanitize the Police Department. All officers have gotten their vaccinations.
- Officer Michael Renton received the Life Saving Medal from the Town of Falmouth for saving two young boys from drowning in 2019. He is also a nominee for the Carnegie Hero Award and will be receiving a citation from the State for this lifesaving measure.
- The Judge in Ricky Klein’s court case against Alan Becker has continued the case until February 11th to give Alan Becker more time to get an attorney. As soon as this case is over, Ricky Klein is planning to hold an auction to clean up the site.
- All Police Officers are preparing to take their required annual 40 Hour Inservice Class Training. This training includes responding to domestic violence events and how to handle mental health related issues. Eric asked if the Police have a mental health professional on call for assistance. Marc explained they do have someone from the Brien Center in the Great Barrington office who is available and has assisted them several times.

Unregistered Cars update:

In response to questions from the Board about the process followed and the outcome of the last Board directed effort to address unregistered vehicles, Marc provided the following update:

- January 2019 – Police conducted a drive by review of unregistered vehicles in Town. There were 36 addresses where they observed one or more unregistered vehicles. They gave each property owner a verbal notice and one month to comply with the Town Bylaw to register or remove the vehicles.
- February 2019 - Police gave another verbal warning to the owners and 30 more days to remove the vehicles. The winter months made it difficult for many owners to remove vehicles due to snow. Some cars were frozen to the ground.
- April 2019 -Police gave a written warning to those still not in compliance.
- June 2019 - Police wrote criminal complaints for the remaining owners not in compliance and they had another 30 days to comply.
- July 2019- there were only 5 property owners that were not in compliance. These cases went to Magistrate Court. The Magistrate held hearings for these five owners. Three showed up at court and have since complied.
- The remaining two property owners are out of state companies. Neither have responded to letters or calls, so the court has dropped those cases for now.

Marc believes the next time the Town goes through this process it should be handled differently. He suggested that the Town consider having a Town Code Enforcer who would be able to go on all properties to ensure compliance with Town Bylaws, which the Police and Zoning enforcement officer cannot do.

Roger stated that it’s clear that the Town does not have a working process to deal with unregistered vehicles. Marc said he will get more information on a Town Code Enforcer and get back to the Board.

Select Board Speak:

Eric inquired about the issue raised by a resident last fall concerning the increase in truck traffic on Great Barrington Road. At the time, the Police Chief and DPW Director attributed some of the increased traffic to trucks from Formel Salvage in Housatonic and the Board sent a letter to the company asking for a meeting. The company, through it's Attorney, agreed to speak to the Board but not at a public meeting. The Board suggested a meeting with the Board Chair and the DPW Director which is in the process of being scheduled. Roger apologized for the delay in setting up this meeting and said he would make it a priority.

Eric said there is a real need to create a bylaw that addresses issuing and renewing Class II and Class III licenses and that he hopes to have one ready to be voted on at this year's Annual Town Meeting.

Citizen Speak:

None

Roger made a motion to adjourn at 7:51 PM, Eric seconded.
Roll call vote:

Eric, Yes Roger, Yes Kathleen, Yes
Motion Passed.

Meeting adjourned.

Respectfully submitted,

Marie U. Ryan

Town Administrator

Documents:
Letter from the Regional School District Planning Board