



# Select Board

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## Select Board Meeting Minutes July 12, 2021

### Open Meeting

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

**Others in Attendance:** Police Chief Marc Portieri, Police Sergeant Rosario Messina, and Fire Chief Steve Traver

Eric called the meeting to order at 6:02 PM.

Kathleen made a motion to approve the minutes from June 24 and June 28, 2021, seconded by Roger, all were in favor.

### **Police Union - MassCOP: Police Sergeant Rosario Messina**

Sergeant Messina presented paperwork to the Select Board that explains that MassCOP is a Police Union that works as an advocate for Police. He is requesting that the Select Board voluntarily sign off and approve the West Stockbridge Police Department joining this union. Among the reasons the full-time officers would like to join this union is for legal protection in the event that the police are involved in a major critical incident such as a shooting.

Roger mentioned that in the second paragraph of the letter the Town received from MassCOP attorney, Jennifer Smith, it states, "Normally, MassCOP would file a petition with the Department of Labor (DLR) for written majority authorization certifying MassCOP as the exclusive bargaining representative for the West Stockbridge Police Officers." Roger would like to see this go through the normal process and not take any shortcuts. Rosario said that there are currently only two officers that would be in this union if the Board will voluntarily sign off on this without going through the normal process. Roger is in full support of them joining this union however, he still would like to see this go through the normal process. Rosario will have Retired Police Sergeant Bobby Murphy, Treasurer of MassCOP or MassCOP Attorney,

Jennifer Smith attend the next meeting and explain the two different procedures that can be done to join the union. The Board agreed this would be helpful.

#### **Discussion of Extension of Shared Fire Chief with Richmond:**

Marie and Richmond Town administrator Danielle Fillio will be presenting a contract to extend the Shared Fire Chief to the West Stockbridge Select Board and the Richmond Selectmen on Wednesday, July 14. This contract is similar to the previous one from a year ago, with some modifications. Essentially this contract would be to extend the Shared Fire Chief for two years. Marie will send a copy of this new contract to the Board prior to the Wednesday, July 14<sup>th</sup> meeting.

Roger asked Chief Traver if he has a 2<sup>nd</sup> in command in the West Stockbridge Fire Department and the Chief replied, yes, Assistant Chief Larry Morse. He added that the chain-of-command in Richmond will also be a backup when needed.

Eric asked the Chief if, as part of the shared services, the Standard Operating Guidelines (SOGs) at Richmond F.D. could be updated and adopted to apply uniformly to both towns. Chief Traver responded that he is working on doing just that, and has asked for assistance from Bob Czerwinski, the retired Chief from Pittsfield F.D. who now works as a consultant.

#### **Rouge Public Hearing – Wine and Malt Beverages Package Store Liquor License – Maggie Merelle**

Eric opened the Public Hearing at 6:30 PM:

Aaron DuBois represented Maggie Merelle at this meeting. He stated that Maggie is requesting approval to have a Wine and Malt Beverages Liquor License to sell mostly high-end wines in the small retail space at 3 Center Street. This package store/boutique will be open all year during the days and hours that the Rouge Restaurant is open (approx. 5 days a week in the evenings). She is trying to diversify to stabilize her income.

Eric opened the discussion to the public:

Steve Dixon, Owner of Queensborough Package Store, objected to the approval of this license. He feels there is no need for more liquor licenses in this small town. Steve felt this new store will take away from his profitability since his store is 100 feet away and sells some of the same items. He also felt this approval will create parking challenges in town.

Aaron DuBois said that Maggie is not interested in competing with other businesses, she wants more choices for consumers, create new jobs (2 positions), and will still be purchasing her items from the same distributors. Maggie wants to continue the same community feeling for the downtown area.

Many voiced that they are customers of Queensborough Package Store and will still continue to be whether or not Maggie gets approval for this license.

Eric closed the public hearing at 7:09 PM and asked for Board discussion.

The Board agreed there is no reason to not approve this liquor license. Eric reiterated that this Board strives to always be supportive of town businesses, and that any responsible merchant that wants to pursue new avenues that are legal should be allowed to. He stated further that the organic forces of the free market are a more fair and effective governor of competition than

the Select Board, and that the Board blocking a legal business from opening or expanding would be counter to its purpose.

Roger made a motion to approve the Wine and Malt Beverages Liquor License for Maggie Merelle, Kathleen seconded, and all were in favor.

### **Select Board Speak:**

Roger asked about the status of the new Department of Public Works employee. Marie said she is waiting until Curt, Director of Public Works, comes back from vacation next week and then they should be able to meet and determine who Curt would like to hire. Roger asked if the issue about creating marked parking spots on Great Barrington Road, Oak Street and Moscow Road could be on the next agenda. He would also like the agreement for the parking lot at 6 Depot and Werkshires on the agenda as well. Roger requested that Curt come to the next meeting and give an update on the bids he received for the feasibility study of the Harris Street extension. The last item Roger discussed was Indigenous Peoples Day which Eric asked the Board to consider for October 11<sup>th</sup>. Roger expressed discomfort at this as taking place of Columbus Day. Eric agreed to speak in more detail about the proposition when it is on the agenda for consideration.

### **Citizen Speak:**

Truc Nguyen wanted to bring to the attention of the Board her ongoing issues with noise in the downtown area. She gave some noise measurements to the Police Chief, who passed them on to the Board. Chief Portieri asked the Board to have a discussion on enforcement and how the Board would like to handle it. Eric committed to doing further research on possible guidance and enforceable limits in Mass General Law, as there are none in the local bylaws for commercial zoning – especially for music within the scope of an entertainment license. The Board will work with the Police Department on what types of measurement and/or enforcement can be done.

Kathleen made a motion to adjourn at 7:50 PM, Roger seconded. All were in favor.  
Meeting adjourned.

Respectfully submitted,

*Marie U. Ryan*

Town Administrator

Documents:

Minutes: June 24 and June 28, 2021

Brochure for MassCOP

Rogue Application for Wine & Malt Liquor License