



# Select Board

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

Tel. (413) 232-0300 x319

Fax. (413) 232-7195

E-mail: [admin@weststockbridge-ma.gov](mailto:admin@weststockbridge-ma.gov)

## Select Board Meeting Minutes March 28, 2022

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

**Others in Attendance:** Police Chief Marc Portieri and Director of Public Works Curt Wilton

Eric called the meeting to order at 6:00 PM and listed Select Board members present. He noted that since there were many agenda items, he would move the guests' agenda items up to the beginning of the meeting.

### **Discussion of Main Street Crosswalk Safety Issues – Joe Roy, Jr., Vision Committee**

Joe read a statement (see attached) from the Vision Committee in regards to their concerns with the safety issues on the Main Street crosswalk. The Vision Committee has discussed two major factors affecting the safety on the Main Street crosswalk, one is the speed of which the traffic travels on Main Street and the other issue is the lack of visibility of the pedestrians and the vehicles on Main Street. The Vision Committee ideas to increase safety on Main Street include; improved signage, possible crossing guard, crosswalk warning lights, speed bumps and increase in police presence. Eric stated the Board is aware of the issue and supports any remedy that the Town and Curt can come up with. The Select Board will continue to keep this topic on future agendas for discussion and will defer to Curt Wilton, Director of Public Works, to continue in his efforts to increase safety on Main Street.

### **Berkshire Regional Planning Commission (BRPC)– Five Year Comprehensive Economic Development Strategy (CEDS) – Wylie Goodman, BRPC**

Wylie made a power point presentation to the Select Board to discuss a Five-Year plan for resiliency and recovery in the Town due to the COVID-19 pandemic. This plan includes economic resiliency stories from the last 1-2 years during the COVID pandemic, to make note of locations that represent areas of strength, weakness and opportunity or threat in the Town, gather feedback on priority projects and assistance with ARPA allocation and grant management/administration. Wylie said that BRPC is interested in assisting the town in determining what recovery-related concerns we have and finding solutions to those concerns.

Roger asked Wylie if they are able to assist the Town with the process of allocation of the Town's ARPA funds. Wylie said BRPC can definitely assist with the process. The BRPC will assist with community outreach, surveys and how to prioritize projects. Eric expressed support for this strategy, and pointed out the current Master Plan process would help to provide answers to the questions raised in the presentation.

#### **Berkshire Natural Resources Council (BNRC) – Narain Schroeder and Doug Brown**

Narain discussed a power point presentation in regards to BNRC's intention to update a trail on Tom Ball Mountain which begins on East Road. He said there is an existing trail that is in poor condition which the BNRC wants to make improvements on and extend the trail to the summit of Tom Ball Mountain that would pass through Town own property. The intent of their presentation is to inquire if the Town is willing to work with them on this project by licensing or permitting a right of way agreement with BNRC through that property. Fixing the trails will be very expensive and time consuming, therefore, prior to beginning this process which will take 3-5 years, they need to determine if there is an interest by the Town to have an agreement completed. Eric responded that the Town is near completion with an Open Space and Recreation Plan, and timing is perfect for that committee to inform the public in their outreach, to reach a consensus, and to make a recommendation to the Select Board on this project. John Masiero, Conservation Commission Chair, added that the Conservation Commission is 100% behind this project and would like the Town to move forward on this agreement.

#### **Noise Bylaw Discussion with the Board of Health – Earl Moffatt, Board of Health Agent**

Earl explained to the Board that the 310 CMR state regulation contains a reference to noise pollution which is under the authority of the Board of Health. He stated that the Town already has a noise bylaw which is used for residential properties and works well. However, he feels that the noise issue in the industrial and manufacturing districts is a different issue all together and is governed by 310 CMR. 310 CMR is a regulation that can be used by the Board of Health, under the DEP authority, to address noise as a source of noise pollution. This process is triggered by an initial complaint directly sent to the Board of Health, which deals with eliminating the manmade noises, such as construction and equipment in and industrial/manufacturing setting. Earl said that the 310 CMR regulation will not assist with any issue where an event has been permitted. He suggested that when permits are given for events, that they include special conditions to assist with noise issues. The Board of Health feels that creating, and most importantly, enforcing a new noise ordinance in a commercial area is entirely different. This is where 310CMR could be effective, perhaps, with an additional, more definitive/restrictive local ordinance attached to it.

Eric said that the Select Board has handed off the issue of a new noise bylaw to the Vision Committee for now. Joe Roy, Vision Committee Chair, asked Earl to forward the 310 CMR regulation to him. This regulation may assist the Vision Committee when working on an updated draft of the noise bylaw, Earl agreed. Joe stated that the Vision Committee has been assigned to understand the draft noise bylaw, include community input, and present a new draft bylaw to the Select Board for review prior to a Town vote on a new noise bylaw. The Board agreed with the Vision Committee's work plan to update this bylaw.

#### **Sign Permit for the Foundry – Amy Brentano**

Amy was unable to attend the meeting tonight but Eric asked the Board if they wanted to proceed with the permit. The remainder of the Board agreed. Roger stated that he reviewed the Sign Bylaw and felt this sign was within the guidelines. Eric agreed. Roger inquired about the electrical permit for the lit sign and Eric explained that after the Select Board approves the

sign permit, then the owner would complete the process with the Building Inspector.

Kathleen made motion, seconded by Roger, to approve the sign permit for Amy Brentano at the Foundry.

Roll call vote;

Roger            Yes

Kathleen       Yes

Eric             Yes

Motion approved.

### **Municipal Parking Lot Agreement – Eric Shimelonis**

Eric requested that the Board continue this agenda item to the next meeting on April 11<sup>th</sup>. The Board agreed.

### **Discussion/vote to Send the Layout for Merritt Way to the Planning Board for Review**

Eric stated that the next step in the process to layout Merritt Way was for the Select Board to send a request to the Planning Board to review and for the Planning Board to send a recommendation back to the Select Board.

Roger made a motion, seconded by Kathleen, to send the Merritt Way layout to the Planning Board for their review.

Roll call vote;

Eric             Yes

Kathleen       Yes

Roger           Yes

Motion approved.

### **Vote to Hold a Special Town Election for Roger's Position on May 31<sup>st</sup>**

Eric made a motion, seconded by Roger, to hold a Special Town Election on May 31<sup>st</sup>, 2022 for Roger's Select Board position for two-year term.

Roll call vote;

Kathleen       Yes

Roger           Yes

Eric             Yes

Motion approved.

### **Approval of Minutes:**

Eric made a motion, seconded by Kathleen, to approve all the minutes listed below to include Kathleen's changes to the minutes from March 14, Open Meeting and March 15, Joint meeting with Richmond Selectmen from:

-February 28, 2022

-March 14, 2022 at 1 PM

-March 14, 2022 Open Meeting

-March 14, 2022 – Executive Session meeting

-March 15, 2022 – Joint meeting with Richmond Selectmen

-March 15, 2022- Executive Session meeting

Roll call vote;  
Eric Yes  
Kathleen Yes  
Roger Yes  
All minutes approved.

**Town Administrator Update:**

Marie informed the Board that the Town Report is at the printers and should be ready next week. After she gets the Reports she will mail out the postcards to the residents that informs them that the Town Reports are available and the Town Meeting and Town Election dates and times.

Marie stated that the Sportsmen's Club has been purchased by the Masonic Temple group and that all the back taxes have been paid on the property.

She requested that the Board come in to Town Hall to sign the paperwork for the posting of the Special Town Caucus and the Special Election.

**Select Board Speak:**

None.

**Citizen Speak:**

None.

Eric made a motion to adjourn, seconded by Kathleen.

Roll call vote;  
Roger Yes  
Kathleen Yes  
Eric Yes  
Open Meeting adjourned at 7:17 PM.

Respectfully submitted,

*Marie U. Ryan*

Town Administrator

**Documents:**

- Power Point Presentation from BRPC – Wylie Goodman
- Map and sample permanent right of way agreement from BNRC – Narain Schroeder
- Sign Permit Application from Amy Brentano – The Foundry