



# Select Board

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## Select Board Meeting Minutes November 15, 2021

### Open Meeting

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

Eric called the meeting to order at 6:01 PM and listed Select Board members present.

### Approval of Minutes:

Roger made a motion to approve the minutes from the October 18, 2021 and November 1, 2021 Select Board meetings, seconded by Kathleen.

### Roll call vote:

Roger Yes

Kathleen Yes

Eric Yes

All in favor, minutes are approved.

### Town Administrator Update:

Marie reminded everyone that the winter parking ban is in effect as of November 1<sup>st</sup> through April 30, 2022. There is no street parking between the hours of 10 PM and 7 AM.

The five Towns seeking an applicant for the shared human resource position decided to advertise again. They have already received several applications from people with human resource experience. The committee will be interviewing applicants during the first week or two in December. Marie will keep the Board updated.

The West Stockbridge Librarian, Rachel Alter, was recently notified that the Library will be receiving State Aid in the amount of \$1,708.79 for this fiscal year. This money will be used for

essential services such as circulation system, eBooks and audiobooks as well as reading material and electronic equipment for the users.

Roger asked Marie for an update on the Cell Tower lease for Albany Road as well as any updates on the Right of Way project that was sent to Town Counsel. Marie has not had any updates in a month or two and will reach out to Town Counsel and report back at the next meeting.

**Berkshire Natural Resources request to use Town property for a trail – John Masiero**  
John was not in attendance so this agenda item was passed over.

**Discussion of Zoning Board of Appeals letter to the Select Board:**

Eric stated that he would like the Board to discuss the letter they received from the Zoning Board of Appeals (ZBA) on November 1<sup>st</sup> which asked the Select Board to appoint a committee to review and propose changes to the Zoning Bylaws.

Since Roger had already independently drafted and sent two letters to the ZBA, one addressing their request to form a new Zoning Bylaw review committee and the other addressing comments and statements documented in the ZBA Record of Proceeding for the Oct 13, 2021, public hearing, Eric asked Roger to review his letters and lead the discussion.

On the request to form a new Zoning Bylaw review committee, Roger stated that, in his opinion, there was no need to appoint a new committee because there are two public bodies that are subject matter experts on Zoning bylaws – the ZBA and the Planning Board – and they are the only people in town with the knowledge to address the items outlined in the ZBA letter. He suggested that the ZBA reach out to and begin to collaborate with the Planning Board which is already engaged in a process of updating bylaws, procedures and forms, noting that it is doing so as part of their regular Planning Board meetings. Eric made a motion that Roger's letter should be the Board's official response to the ZBA, seconded by Kathleen.

Roll call vote:

Kathleen      Yes

Roger          Yes

Eric            Yes

Motion was approved.

On the subject of comments and statements made in the October 13, 2021 public hearing, as documented in the ZBA Record of proceedings, Roger read selected excerpts from his letter, in which he addressed statements and remarks which he considered at best to be off-topic, occasionally inaccurate and, in some cases, personally offensive, bordering on slanderous.

Eric thanked Roger for his very thoughtful letters. Kathleen concurred and said she agrees with everything he wrote and discussed. Eric reiterated the Board's commitment to updating and improving the zoning bylaws and special permitting processes with the Planning Board, in a concerted effort to avoid repeating the mistakes of the past.

**Select Board Speak:**

Kathleen requested that any documents shared to any one Board member also include the others so that they all have the same information, such as the ZBA Record of Proceedings. Roger explained that the Town Clerk had this and he asked Marie to get it and send him a copy. Marie will also include the other Board members in the future when sending any documents.

Eric spoke about the current status of COVID 19 in the area. He started by commending the efforts and expertly run vaccine clinics by Emilie Jarrett, Kathy Korte, and the other volunteers who support our Board of Health. The number of cases in our region is still relatively high, and Eric would like Marie to discuss with Earl Moffatt, Board of Health Agent, any possible updated policies and requirements. Kathleen and Roger agreed. Marie stated that she had been waiting for a directive on mask wearing in Town from the Board of Health and will keep the Select Board updated.

Eric made a motion to adjourn the open session and enter into executive session, not to return to open session at 7:00 PM, Roger seconded:

Anticipated executive session in accordance with M.G.L. c. 30A Paragraph 21 (a)(6), to consider the purchase, exchange, lease or value of real property if the Chair declares that an open meeting may have a detrimental effect on the negotiating position of the Select Board (Merritt Way)

Roll call vote:

Roger-Yes Kathleen – Yes Eric- Yes

Meeting adjourned into a separate zoom meeting for executive session.

Respectfully submitted,

*Marie U. Ryan*

Town Administrator

Documents:

-Select Board Meeting Minutes of Oct 18, 2021 and Nov 1, 2021

-Letter from the ZBA to the Select Board

-2 Letters from Roger to ZBA