



# 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 September 20, 2021

### Open Meeting

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

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

Eric called the meeting to order at 6:00 PM and listed Select Board members present. He stated that this meeting is being held on a new platform, zoom webinar.

### Approval of Minutes:

Kathleen made a motion to approve the minutes from September 7, 2021, seconded by Roger.

Roll call vote:

Roger – Yes Kathleen – Yes Eric – Yes

Minutes are approved.

### Town Administrator Update:

-Marie requested approval for Treat or Treat hours to be set at 4-6 PM on Sunday, October 31<sup>st</sup> with a Halloween Haunted Drive-Through at Town Hall. The Board approved.

-The Town received a check for \$150.00 from the Lenox Men's Soccer Club as a donation (applied to buildings and grounds account) for the use of the soccer field during the summer.

-ARPA Update – A total award for West Stockbridge for ARPA money is \$375,726. The Town has until 2024 to decide how to use this money within the eligibility guidelines. The Town's contact, Brendan Sweeny, Assistant Director for Federal Funds, explained that the best way to understand the ARPA funding is to look on the Treasury website, specifically under the FAQs

and the Compliance and Reporting Guide.

-Chief Traver agreement with Richmond – Marie is waiting to hear back from Danielle, Richmond Town Administrator, on whether we can delete the wording notating attachment A (Steve's salary) and the attachment in the Shared Fire Chief Agreement with Richmond.

-Police Union Process update – Marie received a copy of a letter from Jennifer Smith, legal counsel for the Police Union, confirming that the Police Department is requesting to join the Union officially. Marie was contacted by Carey Shockey, Investigative Hearing Officer from the Massachusetts Department of Labor Relations, requesting a list from the Town of employees interested in joining the proposed bargaining unit. Police Sergeant Rosario Messina gave a list to Marie which contained three full time officers and three part time officers. The next steps include submission of detailed paperwork which may take a few months to complete.

-Recapping Police Chief status report – Police Chief Marc Portieri gave the attached statistical information from the Police Department activity logs from June 2021 through September 1, 2021, which was requested by the Select Board from the last meeting.

-Right of Way Project – A letter was sent to Town Counsel with attached maps and deeds to start the review of the Town right of way from Swamp Road to the Town aquifer. Town Counsel completed a preliminary review and responded that the deed is not a clear path to a legal easement for the Town and that further research needs to be completed to determine the status of this right of way, beginning with a title search. The Board agreed that Marie should instruct Town Counsel to proceed with the title search.

-Parking Agreement with 6 Depot and Werkshires –Town Council approved the draft agreement between the Town, 6 Depot and Werkshires for the Town to use the shared lot owned by those two businesses as a municipal parking lot. The draft agreement has been sent to 6 Depot and Werkshires for their review and approval. Eric heard back from Karden at Werkshires who had a few general changes to clarify Indemnity but is waiting to hear back from No. 6 Depot. Eric will follow up.

-Traffic Issue at the High School – Marc and Marie attended an informational meeting in regards to the entrance/exit at Monument Mountain Regional High School. Also, in attendance were officials from Mass DOT, Great Barrington and Stockbridge and, Senator Hinds and Representative Pignatelli. Mass DOT does not have any answers to assist in limiting the number of accidents near the entrance/exit of the high school to date, except to say there will not be a traffic light at the entrance/exit of the high school. Mass DOT suggested they could remove the northbound turn lane into the high school and install warning flashing lights that signify when there is oncoming traffic for vehicles exiting the high school. They will continue to work with School Superintendent Peter Dillon on creating a safe vehicle entrance/exit.

-Auto Class II & III License renewal letters will be mailed out to license holders on October 1st. Marie asked the Select Board if they would like to include a letter about any new procedures for renewal as discussed at a Select Board Meeting last year. The Board agreed to allow the renewal letters to be mailed out as usual.

-Entertainment License renewal letters will to be mailed October 1<sup>st</sup>. Marie presented a copy of Entertainment License application which Brian DuVal created for Dalton and asked the Board if they would like to adopt this form for use in West Stockbridge. The Board agreed to discuss this at the next meeting.

-Town General Bylaws – Marie will be reviewing all General Bylaws and making recommendations to update outdated bylaws for the next Town Meeting. She has requested assistance from Joe Roy, Jr. to begin this process. Roger and Building Inspector Brian DuVal will also assist in reviewing outdated General Bylaws.

-Zoom Meeting Investigation – Police Chief Marc Portieri  
Police Chief Marc Portieri informed the Board that the Massachusetts State Investigative Unit of the State Police has filed for a subpoena and a warrant to receive all the information from Zoom and is in the process of investigating the zoom hack from the Select Board meeting of September 7, 2021. Marc will keep the Board updated as he receives information from the investigation.

### **Marijuana Cultivation Project – Jon Piasecki**

Jon Piasecki, West Stockbridge resident and current holder of a Host Community Agreement to cultivate marijuana in West Stockbridge, came before the Board to notify them of his intent to pursue Zoning Bylaw changes that would allow him to cultivate marijuana on a 2-acre plot in West Stockbridge. He said that this project could bring in tax revenue for the Town. The Board all agreed that they would not oppose Jon's pursuit of such a process, as there will be several opportunities for town residents to weigh in on the issue, and such a zoning change would require a two-thirds vote at a town meeting.

Police Chief Marc Portieri told the Board that every time the Police Department completed the required inspections at Wiseacre Farm for Jon's current Host Community Agreement, Jon has been very cooperative and helpful and there have been no issues.

### **Berkshire Bounty – Jay Weintraub, Marl Lefenfeld and Deb Phillips**

Berkshire Bounty is a non-profit group working against food insecurities in Berkshire County. They collect and purchase food for delivery to local food banks and food pantries. Deb Phillips, Director of the Southern Berkshire Health Network collaborates with Berkshire Bounty to improve the health and wellbeing of the residents in Berkshire County. The groups assist with food access and wanted the Board and the Town to know about their mission and to see how they can assist with food access for the residents in West Stockbridge. Deb and Jay will work with Marie in assisting to create increased food availability and access to the food pantry.

### **Vote to Remain One Precinct –**

Marie explained that every 10 years when the Federal Census is completed, the State Elections Division sends recommendations to each town as to the suggested number of precincts for that town. Marie requested that the Select Board vote for West Stockbridge to remain as a one precinct town.

Roger made the following motion, seconded by Eric;

I make a motion to have the Town of West Stockbridge remain as one precinct as described as:

All of that portion of West Stockbridge Town bounded and described as follows:  
Beginning at the point of intersection of the Berkshire County line and the Alford/West Stockbridge town line, and proceeding northerly along the Berkshire County line to the Richmond/West Stockbridge town line, and proceeding easterly along Richmond/West Stockbridge town line to the Stockbridge/West Stockbridge town line, and proceeding southerly along the Stockbridge/West Stockbridge town line to the Great Barrington/West Stockbridge town line, and proceeding southerly along the Great Barrington/West Stockbridge town line to

the Alford/West Stockbridge town line, and proceeding northerly along the Alford/West Stockbridge town line to the point of beginning.

Roll call vote:

Eric – Yes Kathleen – Yes Roger – Yes

Motion approved.

### **Green Communities update – Eric Shimelonis**

Eric informed the Board that the first disbursement from the Green Communities grant will be coming to the Town soon. Eric explained that the Town will receive the grant money and begin working on the projects. The first project using this grant money will be for upgraded lighting in all of the town buildings. All lighting will be replaced with LED energy efficient lights which will be partially funded by National Grid.

Commonwealth Electric has been assigned to our Town to assist in completing the projects. This company is in central Mass, and their contacts are mainly contractors from that area. If we were to use their contractors, the cost will be increased due to travel. Eric suggested that the Town try to hire local contractors for our projects which will assist the Town in getting more for our money by eliminating the travel expenses. Eric asked the Board for their input on creating innovative means to get things accomplished at a lower cost with the grant money and being fiscally responsible. Eric also suggested having an energy audit completed to assist in determining which projects need to be completed and given priority. Roger and Kathleen agreed.

Roger requested that the Board receive input from the community on which projects to spend the money on, Eric and Kathleen agreed.

Curt asked Eric if he could proceed with the process to hire a contractor to get a new boiler at the Department of Public Works and Fire Station building. Eric suggested that Curt try to get bids on a boiler that is energy efficient and lean towards a boiler with a high green rating. Curt requested that the energy audit be completed to assist him with ideas for the most energy efficient boiler prior to creating the bid packet for the new boiler. Eric will proceed with getting an estimate of the cost for an energy audit. Kathleen and Roger requested that this audit produce a list with prioritization of projects. Eric agreed. Roger requested that the upgraded Town Hall projects be integrated with the master plan. Eric will keep the Board updated as this process progresses.

### **Select Board Speak:**

Kathleen stated that due to scheduling conflicts, she and Curt have not been able to meet with Igor at TurnPark in regards to the park across the street from TurnPark. She still plans on having a meeting with Igor in the near future to discuss planning and design for that area.

### **Citizen Speak:**

Truc Nguyen made an offer to donate food to the Food Pantry and will connect with Marie about this.

Roger made a motion to adjourn at 7:40 PM, Kathleen seconded.

Roll call vote:

Roger-Yes Kathleen – Yes Eric- Yes

Meeting adjourned.

Respectfully submitted,

*Marie U. Ryan*

Town Administrator

Documents:

-Minutes: September 7, 2021

-Police Activity Log update from June through September 1, 2021

-Letter from Elections Division to vote to remain 1 precinct