

MINUTES BOARD OF SELECTMEN MEETING
1529 STATE ROAD
August 12, 2020
Hybrid meeting, in person & zoom

Members Present: Alan Hanson-Chair, Neal Pilson, Roger Manzolini
Others present: Danielle Fillio- Town Administrator, Peter Beckwith-Superintendent DPW, Eric Smith-RFD, tony Segal-chair BOH
Raymond James, Bob & Sue Benner, Alison C., Evelyn Loeb, Leslie Breeding, Christian Hanson, Miles Garfinkle, Seth Hoffman

Alan Hanson opened the meeting at 6P.M. Roger Manzolini made a motion to approve the minutes from July 9th, 2020 meeting. It was seconded by Neal Pilson and passed unanimously.

Electrical Meter on Town Property

Eric Smith from The Richmond Fire Dept. requested that a new electrical meter be placed exactly where the old meter was on the building. This meter will have 2 recording meters instead of just one. It is for the two buildings on site. The lines will not be crossing any roads.

Neal Pilson asked Peter Beckwith if he had any concerns, the lines will be underground. Peter stated that the one concern he had was that he plans on placing the community sand/gravel pile in that area and they will have to make sure there isn't a conflict. Eric Smith stated that would not be an issue. Alan Hanson made a motion to approve the placing of the meter on town property. It was seconded by Neal Pilson and passed unanimously

Approval Of Assessors Contract Renewal

Danielle Fillio stated that the contract is basically a renewal of the same contract they have been working under. Neal Pilson made a motion to execute the renewal of the contract. Roger Manzolini seconded it and it passed unanimously. The selectmen signed their copies of the contract.

Discussion of Town Beach and Boat Launch

Neal Pilson stated that the issue came originally because over the July 4th holiday weekend, there was overcrowding and over-flowing garbage bins at the town beach. The Selectboard and the Board of Health had a meeting to discuss the issue. It was decided that members of the two boards would periodically go to the beach on weekdays and weekends to check on the conditions of the beach and if it was overcrowded. Neal Pilson stated that he has been going there at least once every weekend and saw no signs of garbage or overcrowding. People were keeping socially distant from one another and he was very pleased with what he saw. The one issue he has is what it will be like over the Labor Day Holiday weekend. Neal Pilson stated he was surprised to hear that the BOH had voted to have the beach closed daily at 5:30pm instead of the regular time of 7pm. He stated he was not happy with the vote of the BOH. He asked Tony Segal why they placed that vote.

Roger Manzolini and Alan Hanson also stated that they found no issues with the beach on their inspections, and why the BOH voted for the early closure.

Tony Segal stated that he was down there several times after 5:30pm. (the lifeguards leave at 5pm) and found large groups and that they seemed more uncontrolled and with less social distancing, and there was beer drinking occurring. He wanted to know if the governor's 50- person mandate applied to beaches. Christian Hanson read the governor's order and it stated that the 50-person limit does not apply to beaches.

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Neal Pilson asked Tony Segal if the BOH actually meant for their vote to be an order or was it merely a recommendation of the board. Tony Segal stated that it was more a recommendation of the BOH. He stated that the BOH would not have closed the beach without first contacting the selectboard for their input. Neal Pilson stated that the only job the lifeguards have is to keep their eyes on the water for the safety of the swimmers and people playing in the water. They are not the enforcers of mask wearing or making sure people stay socially distant from one another. The beach is open even if the lifeguards are not present, normally the lifeguards leave in the middle of August since they are college students and the beach stays open for several more weeks after that. All the selectmen stated that as long as state guidelines are maintained the beach should stay open its normal hours.

There was some discussion about what should be done over the Labor Day Holiday weekend and it was decided that at the next meeting they would discuss it further. The board members asked Danielle Fillio to check into the possibility of having a deputy sheriff there to monitor cars and the amount of people. They also requested Peter Beckwith to ask the lifeguards if they might be able to stay thru Labor Day if they are not going off to school. There was also some discussion about the possibility of having hand outs and a sign in sheet for people at the beach but nothing was decided.

Roger Manzolini asked Danielle Fillio about the boat launch. She stated that more boat monitors have been hired so that all shifts will now be covered. She stated that they are still working on getting the cameras down there set up.

Balderdash-Complaints from Residents

Alan Hanson read a letter along with a petition that he received from Richmond Shores residents concerning the excessive noise from Balderdash.

Alan Hanson then read a memo he wrote concerning his visits that he made there on several occasions. Both he and Neal Pilson on several occasions monitored the noise levels using a decibel meter. Right now, the only stated decibel level reading that their permit requires is at their southern border of the Balderdash property, it is the boundary line with the Rich's property. There isn't anything in their permit about the noise level at the tracks which is the Eastern end of their property. This year due to Covid Christian Hanson stated that they have not put in for any special one day permits for large functions.

Neal Pilson did state that he noted that Balderdash did put in some noise reduction barriers and possibly they could put more in. After much discussion from people who think Balderdash is trying to do the best they can and have been trying to keep the noise levels down to others who think much more could and should be done for tamping down the noise level it was decided that possibly a company that specializes in recording noise decibel levels and has solutions for reducing noise levels should be hired by the town.

At this time the board members have no intention of shutting Balderdash down. Neal Pilson stated that this September Balderdash's permit is up for review.

The selectmen asked Christian Hanson if they intend to have most of their larger functions indoors which is what their original permit had stated. He replied that they are in the process of building a barn but due to Covid it is behind schedule. The barn is where they intend to hold weddings and larger functions. Once the Covid regulations are relaxed and customers can be indoors, they plan on having most of the music for their smaller weekend gatherings inside the winery not outdoors. He stated that

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they hoped to keep the outdoor gatherings going until the weather is too bad to hold them and then maybe one or two around the holidays.

One of the complaints made against Balderdash was that people walked across the tracks without masks and carrying plastic glasses of wine. Neal Pilson stated that the town has no ability to stop people from walking across the tracks. He said we do not have a police force that they need to call the state police since it is illegal to have an open drink and leave the premises.

Another complaint was not only about the music being too loud but was the audience making too much noise. The selectmen stated that noise from customers was much harder to control than noise from musicians.

Neal Pilson made a point of stating that all emails and correspondence are saved and reviewed by the selectmen.

Alan Hanson closed this portion of the meeting by stating that the selectboard has now heard from both sides concerning this issue.

Schedule of Special Town Meeting in September

Danielle Fillio stated that a special town meeting was needed to be scheduled in order for the town residents to approve the sale of parcels of land that had been donated to the town, plus to vote on paying bills from FY2020 and possibly for regulation of speed control on town roads. There also are a couple of bylaw changes that need to be made. The timeline for it is register to vote Sept. 11, post warrant Sept. 9th, meeting on Sept.23. Danielle Fillio stated that it would be an in-person meeting. Neal Pilson made the motion to hold a special town meeting on Sept 23rd at 7pm. It was seconded by Alan Hanson and passed unanimously.

Selectmen Matters

Neal Pilson

Merger with Berkshires Hills School and Richmond Consolidated is not being pursued. The state has advised against the merger at this time. The two school boards will extend the Superintendent's agreement thru June 2021.

At the next selectboard meeting they will hear from the cable advisory committee about the results of their pending contract talks with Charter Communications.

Roger Manzolini-None

Alan Hanson- None

Town Administrator's Report

Danielle Fillio stated that according to Berkshire Regional Planning only about 50% of Richmond residents have returned their census information.

MVP Grant-Vulnerability Grant, this grant was done just by Richmond. To combine with other towns would have made the process much more complicated. With this and the Hazard grant a committee will have to be appointed for overseeing it. As of now the prospective members will be Danielle Fillio (Chair), Peter Beckwith, Chief Steve Traver, Chief Bill Bullet, Shep Evans (ConCom), COA representative, and a board of health representative.

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Landfill

The town needs to meet with the state for a final decision but it has been postponed due to Covid. Capping and well monitoring will be discussed. Several residents have requested their wells be retested and one resident whose well was never tested has requested it be tested. The initial tests were done 10 years ago.

Richmond Pond

It will be treated for weed control on Monday August 24th, no use of the pond for that day.

Danielle Fillio stated that she is working with Angela Garrity on the end of year report and that Angela Garrity is working with Amy lane on Free Cash Certification.

Danielle Fillio stated that she is working on a new employee policy change concerning vacation time. Now the time is done in hours which is very confusing she plans on changing the policy to vacation days not hours. She told the board that Phyllis LeBeau is still out due to her accident, she is still being paid. She is using her accumulated sick and vacation time.

There has been a request from residents on Rossiter Road for speed limit signs. Peter Beckwith stated that any dirt road without a speed limit sign has a speed limit of 40 miles an hour. There are two ways for a town to request speed limiting signs. The easiest way is for the town to adopt the thickly settled design, for a road to qualify for that there has to be 5 houses within ¼ mile. This is considered thickly settled.

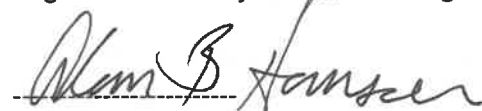
The selectmen did not think it was really an enforceable plan. There was a suggestion of putting up yellow speed limit signs which do not need state approval. Yellow signs are a recommendation not an actual enforceable speed limit. They also felt that if signs went up on one road all the other dirt road residents would want them for their roads.

The selectmen asked Danielle Fillio and Peter Beckwith to come back ideas with at the next meeting.

The Selectmen asked Peter Beckwith what he thought of the sound and video that there was for the meeting. He stated that for the most part it was fine, once the masks came off the audio was much clearer. The selectmen thought it worked well from their perspective of being able to hear and see the remote participants.

Roger Manzolini made a motion to approve the warrants, it was seconded by Neal Pilson and passed unanimously.

Roger moved to adjourn the meeting it was seconded by Neal Pilson and passed unanimously.



Alan Hanson-Chair



Date

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