

MINUTES OF TOWN OF BERKLEY SELECTMEN'S MEETING OF 09/01/2021

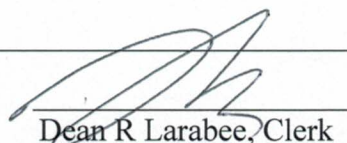
SELECTMEN IN ATTENDANCE: Dean R. Larabee, Clerk & Wendy F. Cochrane, Member

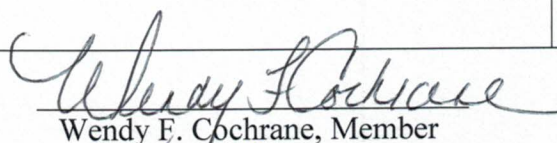
TOPIC		ACTION
	Meeting Convened at 6:00p.m. in the Moitoza – Pettey Hearing Room	
Meeting Minutes	<p>The board tabled all the meeting minutes due to not having a full quorum.</p> <p>April 28, 2021 Meeting Minutes, May 26, 2021 Meeting Minutes, May 27, 2021 Meeting Minutes, May 27, 2021 Meeting Minutes – ES, June 16, 2021 Meeting Minutes</p> <p>June 23, 2021 Meeting Minutes, June 23, 2021 Meeting Minutes - ES</p> <p>July 07, 2021 Meeting Minutes, July 21, 2021 Meeting Minutes</p> <p>August 04, 2021 Meeting Minutes, August 18, 2021 Meeting Minutes</p>	Cochrane motion to table, Larabee 2 nd , both voted
Meeting Mail	<p>September newsletter from the Council On Aging, The Berkley Beacon.</p> <p>The board complimented the COA Director for doing a good job and the newsletter looks great.</p>	Cochrane motion to file, Larabee 2 nd , both voted
New Business	<p>The board discussed a complaint received by Bruce Newcomb in regards to his Plain Street East neighbor, Michael Ricardo and his motocross track.</p> <p>Bruce Newcomb, 51 Plain Street East, who requested to be heard in front of the board, asked to give the floor to Eve Lippold.</p> <p>Eve Lippold, 50 Plain Street East, gave the board some printouts of findings regarding the motocross track on Plain Street East, owned by the Ricardo's. Lippold presented to the board what she believes the Ricardo's posted on a Facebook page in regards to their apparel business called the "Why Not" company. On the printout it stated that "after a 3-year legal battle", the neighbors want to know what legal battle the Ricardo's are talking about in the post. The board replied by saying they are not aware of a legal battle and it may be against another board in the town. Lippold gave pictures of screenshots from YouTube videos with people riding on the Ricardo's property also known as the Ricardo Training Facility. Lippold said that in prior discussion, it was to her knowledge that the Ricardo's could have friends and family ride on the track but they were not to charge a fee. In the comments on one of the videos it says that they are charging \$30.00 a bike. Lippold also seen a comment from over a year ago, which read, from Michael Ricardo, we have irrigation now. Lippold wants to know if a permit was pulled or if a permit was even required. Cochrane stated that the board can ask the zoning officer to go take a look at the property.</p> <p>Joe Biszko, the zoning officer, asked the neighbors what they would like him to do. Lippold replied, she wants to know if there is business on the property. They are worried about the increased traffic, noise, and etc. Biszko stated that as far as zoning goes, is this gentlemen running a business and noise. Those are the only two things that he can handle in this situation. Biszko said he doesn't have a decimal reader and he believes they may have to get the state involved.</p> <p>Walter Bezanuki, 45 Plain Street East, every time Jim Romano went to the property, it was too late. Bezanuki stated he has his own decimal reader certified by the state. Bezanuki stated anything above 10-deciamls of ambient noise is considered nuisance noise. Bezanuki readings has been well over 15-decimals over ambient noise. Bezanuki said this issue is effecting his health and it's a form of harassment.</p> <p>Karen Kullas, 51 Plain Street East, said she has seen many transactions on Michael Ricardo's public Venmo account for \$30.00. Kullas stated she can hear the noise like it's in her living room.</p> <p>Bruce Newcomb, 51 Plain Street East, he thinks what is happening has devalued the area. Newcomb stated that he didn't ask Michael Ricardo to go to the meeting because he is conformational, argumentative, and arrogant. Cochrane asked if he would feel more comfortable if there was a law enforcement officer present at the meeting were both parties are present. Newcomb replied by saying yes it would be welcomed.</p> <p>Rob Powell, 31 Plain Street East, a resident since 2019, when he and his wife moved in they didn't know there was a racetrack behind their house, so they reached out to the Ricardo's. He believes after receiving empty promises of maintaining the noise, the Ricardo's don't care about their community. Powell wants to know what the next step is for the group to take. Cochrane replied by saying, the Ricardo's don't have any violations on a permit because no special permit exists, which this is just recreational riding. If a special permit was granted they could put stipulations on the permit. As of right now, they can only act on</p>	

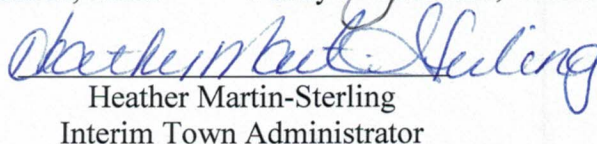
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	<p>their complaint and see if there is any current violations. The board will ask the owner of the property to attend the next meeting.</p> <p>Keith Goettlich, 24 Plain Street East, wants to know if the town follows the state guidelines regarding noise restrictions. Newcomb replied by saying he spoke to the DEP and they said they would come down upon the request of the towns zoning officer. Biszko said he will go down to the property and address the situation. Biszko also said he will reach out to the DEP and join them at the property to attempt to hear the noise and possibly get a decimal reading. Discussion continued.</p> <p>Mrs. Newcomb, 51 Plain Street East, stated most of the noise is Saturday and Sundays, DEP doesn't work the weekends. Larabee asked Biszko if he could make an effort to go on the weekend. Biszko replied that he had no problem with making himself available.</p> <p>Board reviewed the application for a 1-Day Wine & Malt Beverage License from the Bay State Beagle Club for September 18, 2021 at 6pm-10pm.</p> <p>Cochrane read the letter from Bristol-Plymouth Tech student, Avery Laranjo, regarding safe driving at night in Berkley. Town Administrator, Heather Martin-Sterling shared that she is in the process of working with TMLP currently with determining what street lights need to be turned on or if there's a need for more in town. Cochrane recommended to see what the process would be to do some type of study on this matter. Larabee agreed.</p>	<p>Larabee motion to have the building inspector do an investigation and report back, Cochrane 2nd, both voted</p> <p>Cochrane motion to approve 1-Day license, Larabee 2nd, both voted</p>
Old Business	<p>Board to continue discussion of the animal control officer. There was no additional information for this topic.</p> <p>Board to pick a sample of the 9/11 remembrance plaque for approval of purchase. Discussion continued.</p>	<p>Cochrane motion to file, Larabee 2nd, both voted</p> <p>Cochrane motion to table, Larabee 2nd, both voted</p> <p>Cochrane motion to accept, Larabee 2nd, both voted</p>
Finance Committee	Joseph Freitas, Chairman of the Finance Committee, thanked the town Administrator for the email of the information he requested regarding the cares money. Freitas asked about the ARAP money. Martin-Sterling sated they will have a future conversation regarding this matter. Freitas agreed.	Information Only
Public Input	Deborah Pereira, Berkley's Town Clerk, gave her resignation letter to the board dated September 1, 2021. Larabee read the letter into the record. Pereira said it's been a tough decision. Larabee speaking for the board, asked to reconsider. Pereira said for her to reconsider she would have to reside here in Berkley. Discussion continued. The board and the Town Administrator gave there thanks and wished Pereira well.	Information Only
Adjournment	Adjourned at 7:00 p.m.	Cochrane motion to adjourn, Larabee 2 nd , both voted


Dean R Larabee, Clerk


Wendy F. Cochran, Member


Heather Martin-Sterling
Interim Town Administrator