

Jennifer Tabakin
Town Manager

E-mail: jtabakin@townofgb.org
www.townofgb.org



Town Hall, 334 Main Street
Great Barrington, MA 01230

Telephone: (413) 528-1619 x2
Fax: (413) 528-2290

TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

SELECTMEN'S MEETING

WEDNESDAY, MAY 14, 2014

6:45 P.M. – EXECUTIVE SESSION

7:00 P.M. – REGULAR SESSION

TOWN HALL, 334 MAIN STREET

ORDER OF AGENDA

6:45 PM - OPEN MEETING

1. CALL TO ORDER.
2. GO INTO EXECUTIVE SESSION – TOWN MANAGER'S CONFERENCE ROOM
 - Roll Call Vote
 - Appointment of Special Counsel for ZBA appeal (M.G.L. c.30A, sec. (3))

7:00 PM – RETURN TO PUBLIC SESSION – BOARD ROOM

1. CALL TO ORDER:
2. APPROVAL OF MINUTES:
 - March 12, 2014 BOS and Fin Com Joint Meeting
 - April 28, 2014 Regular Meeting
3. REORGANIZATION:
 - A. WELCOME AND CONGRATULATIONS TO THE NEWLY ELECTED SELECTMAN.
 - B. ELECTION OF CHAIR AND VICE CHAIR.
4. SELECTMEN'S ANNOUNCEMENTS/STATEMENTS:
 - A. GENERAL COMMENTS BY THE BOARD.
5. TOWN MANAGER'S REPORT:
 - A. FOLLOW UP ITEMS
 - LEE ROGERS/CULTURAL COUNCIL – REVIEW OF GRANT AND AID PROCESS.
 - MALCOLM FICK/SOLARIZE GB/EGREMONT PROGRAM – PRESENTATION.

- PLANNING FUTURE AGENDAS.

6. LICENSES OR PERMITS:

- A. JACKIE WENDLING/AMERICAN CANCER SOCIETY; RELAY FOR LIFE FOR TWO (2) TEMPORARY WEEKDAY OUTDOOR ENTERTAINMENT LICENSES STARTING AT 6:00 PM ON JUNE 20, 2014 TO 3:00 PM ON JUNE 21, 2014 AT MONUMENT MOUNTAIN HIGH SCHOOL. (DISCUSSION/VOTE)
- B. GATEWAY BERKSHIRE REAL ESTATE & SERVICES, LLC FOR 2014 REAL ESTATE SIGN LICENSE. (DISCUSSION/VOTE)
- C. VFW JAMES A. MODOLO POST #8348 AND THE ADAMS-BUDZ POST #8183 FOR PERMISSION TO HOLD THE ANNUAL MEMORIAL DAY PARADE ON MONDAY, MAY 26, 2014 IN HOUSATONIC AT 9:00 AM AND IN GREAT BARRINGTON AT 11:00 AM. (DISCUSSION/VOTE)
- D. NATIONAL GRID AND VERIZON NEW ENGLAND, INC. FOR PERMISSION TO INSTALL ONE STUB POLE 14-84 AND ANCHOR ON TACONIC AVENUE BEGINNING AT A POINT APPROXIMATELY 20 FEET EAST OF THE CENTERLINE OF THE INTERSECTION OF OAK STREET. (DISCUSSION/VOTE)
- E. SASA ARMOR/WALKER INTERNATIONAL EVENTS, INC. FOR TWO TEMPORARY WEEKDAY OUTDOOR ENTERTAINMENT LICENSES FOR FRIDAY, JUNE 27, 2014 FROM 5:30 PM – 9:00 PM AND SATURDAY, JUNE 28, 2014 FROM 3:00 PM – 7:00 PM AT BOGIE'S RESTAURANT & PUB, 935 SOUTH MAIN STREET. (DISCUSSION/VOTE)

7. NEW BUSINESS:

- A. BOS – TO VOTE THAT THE MAXIMUM USEFUL LIFE OF THE LOADER APPROVED BY THE MAY 5, 2014 ANNUAL TOWN MEETING IS TEN (10) YEARS. (DISCUSSION/VOTE)
- B. GREAT BARRINGTON HISTORICAL SOCIETY – ANNOUNCEMENT OF ART SHOW.
- C. ROGER FLEURY – PRESENTATION OF “SKILL TOUCH” VIDEO GAME. (DISCUSSION/VOTE)
- D. BOS – APPOINTMENT OF BOS REPRESENTATIVE ON THE COMMUNITY PRESERVATION COMMITTEE. (DISCUSSION/VOTE)

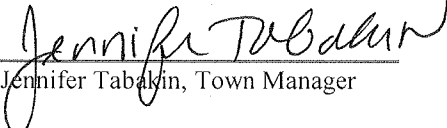
8. CITIZEN SPEAK TIME:

9. SELECTMEN'S TIME:

10. MEDIA TIME:

11. ADJOURNMENT:

NEXT SELECTMEN'S REGULAR MEETING: TUESDAY, MAY 27, 2014 AT 7:00 P.M.


Jennifer Tabakin, Town Manager

THIS MEETING MAY BE RECORDED BY MEMBERS OF THE MEDIA.
THE LISTING OF AGENDA ITEMS ARE THOSE REASONABLY ANTICIPATED BY THE CHAIR WHICH MAY BE DISCUSSED AT THE MEETING. NOT ALL ITEMS LISTED MAY IN FACT BE DISCUSSED AND OTHER ITEMS NOT LISTED MAY ALSO BE BROUGHT UP FOR DISCUSSION TO THE EXTENT PERMITTED BY LAW.

RECEIVED
TOWN MANAGER

MAY 06 2014

BOARD OF SELECTMEN
GREAT BARRINGTON, MA



TOWN OF GREAT BARRINGTON
Temporary Weekday Entertainment License Application
\$25.00 per day x 2 = \$50.00

The undersigned hereby applies for a license in accordance with the provisions of MA General Laws, Ch.140 Sec.183A amended, Ch.351, Sec.85 of Acts of 1981 and Ch.140 Sec.181.

Name: Jackie Wendling

Business/Organization: American Cancer Society; Relay For Life

D/B/A (if applicable): _____

Address: 59 Babola Rd. Holyoke, Ma. 01040

Mailing Address: 4 Ecstatic way Lenox, Ma. 01240

Phone Number: 978-810-1182

TYPE: (Check all that apply) Concert Dance Exhibition Cabaret DJ

Live band with up to 4 pieces, including singers Public Show

Other (please explain) Relay For Life 2014

INCLUDES: Live music Recorded music Dancing by entertainers/ performers

Dancing by patrons Amplification system Theatrical exhibition

Floorshow Play Moving picture show Light show Jukebox

Other (please explain) _____

As part of the entertainment, will any person be permitted to appear on the premises in any manner or attire as to expose to public view any portion of the pubic area, anus, or genitals, or any simulation thereof, or whether any person will be permitted to appear on the premises in any manner or attire as to expose to public view a portion of the breast below the top of the areola, or any simulation thereof? (M.G.L.Chp.140 Sec.183A)

___ YES

NO

Please circle: **INDOOR** or **OUTDOOR** Entertainment

Exact Location of Entertainment (include sketch): Monument Mountain
Regional High School

Date(s) of Entertainment*: June 20 - 21 2014
*Does not include SUNDAY

Start & End Times of Entertainment: 6:00 pm June 20, 2014 - 2:00 pm June 21, 20

ALL entertainment licenses will be reviewed by the Design Review Team (DRT), which is comprised of several Town departments, for comments/concerns on this application.

Pursuant to M.G.L. Ch. 62C, Sec. 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

[Signature]
Signature of Individual or
Corporate Officer

5/6/14
Date

[Redacted]
SS# or FID#

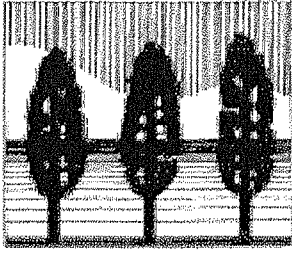
TOWN USE ONLY:

DRT Review with Conditions: DRT reviewed 5/6/14 and has no concerns.

Tent vendor will contact Bldg. Dept. Food permits must be applied for 2 weeks prior to event. CR 5/6/14.

APPROVAL DATE: _____

LICENSE # _____



BERKSHIRE HILLS REGIONAL SCHOOL DISTRICT

GREAT BARRINGTON * STOCKBRIDGE * WEST STOCKBRIDGE

50 MAIN STREET * P.O. BOX 617 * STOCKBRIDGE, MA 01262 * (413) 298-4017

May 7, 2014

Jackie Wendling
4 Ecstatic Way
Lenox, MA 01240

Re: Relay for Life 2014

Dear Jackie,

Your request to hold the 2014 Relay for Life at Monument Mountain High School on June 20th, 21st has been approved. We understand that the set up for the event will start on Thursday, June 19th with the actual walk starting on Friday the 20th and ending on Saturday the 21st.

We will work to duplicate the event held in 2013 and make any adjustments we all feel would be beneficial to the event and participants. Like last year we will have a custodian on duty the entire time, we will provide a trash dumpster and a recycling dumpster, porta-potties, trash receptacles, garbage bags, toilet paper, sand and ice from the ice machine. We will make the bathrooms available for the event as well as one classroom to act as the accounting area for the event.

The only thing the school district will need is a certificate of insurance naming the school district as additionally insured on the American Cancer Society's insurance policy for those three days.

Please feel free to contact me with any questions and concerns and stay in touch as the dates approach in order to ensure we are well organized for the three days. Berkshire Hills Regional School District is very proud to host such a great fund-raiser and look forward to working with you to make this years' walk as successful as it can be.

Sincerely,

Steven T. Soule
Director of Operations
Berkshire Regional School District

* New license for 2014 *

RECEIVED
TOWN MANAGER

APR 28 2014

BOARD OF SELECTMEN
GREAT BARRINGTON, MA



TOWN OF GREAT BARRINGTON
APPLICATION FOR REAL ESTATE SIGN LICENSE

FEE: \$50.00 (pd)

DATE: 4.28.14

LICENSE NUMBER: _____

TO THE LICENSING AUTHORITY:

The undersigned hereby applies for a Real Estate Sign License in accordance with the provisions relating thereto:

APPLICANTS NAME: G. J.

BUSINESS NAME: Gateway Berkshire Real Estate & Services, LLC

BUSINESS MAILING ADDRESS: 453 Stockbridge Road

BUSINESS ADDRESS: (Same as Above)

BUSINESS TELEPHONE: 413.528.1009

HOME TELEPHONE: 413.528.4203

This license is for all signs necessary pertaining to the sale of real estate in Great Barrington as per Town Sign Bylaw Chp.146-5 (10).

Pursuant to M.G.L. Ch. 62C, Sec. 49A. I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

[Signature]
Signature of Individual or Corporate

by: _____
Corporate Officer (if applicable)

TIN SS# [Redacted] or FID# _____

RECEIVED
TOWN MANAGER

MAY 05 2014

Board of Selectmen
Town of Great Barrington, MA
334 Main Street
Great Barrington, MA 01230

BOARD OF SELECTMEN
GREAT BARRINGTON, MA

May 5, 2014

On behalf of the Housatonic Veterans of Foreign Wars Post 8183, located at 16 Cone Avenue in the village of Housatonic, Massachusetts, I formally submit our Post's request for Memorial Day parade participation to include all ceremonial details associated with that event which will take place on Monday, May 26, 2014, beginning in the village of Housatonic at 0900 and continued in the town of Great Barrington at 1100. We also invite all members of the Board of Selectmen to join us in honoring all those who have served our towns, our State, and this great Nation.

Sincerely,

Michael A. Murphy
Officer of the Day
Adams-Budz VFW Post 8183
Housatonic, MA

CC:
Jennifer Tabakin, Town Manager
William Walsh, Chief of Police
Charles Burger, Fire Chief
Commander, Adams-Budz VFW Post 8183
Commander, James A. Modolo VFW Post 8348



TOWN OF GREAT BARRINGTON
MASSACHUSETTS

DEPARTMENT OF PUBLIC WORKS

EXECUTIVE SUMMARY

TITLE: Pole Petition – Taconic Avenue– Plan number 13932528 – March 31, 2014

BACKGROUND: National Grid and Verizon New England have filed a petition for the installation of a stub pole 14-84 and anchor on Taconic Avenue. The new pole location is approximately 20 feet east of the centerline of the intersection of Oak Street.

The petitioner agrees that all the poles and associated equipment being installed or updated meet or exceed the latest version of the National Electrical Safety Code (NESC) as of the date of this petition.

Clearance distances conform to the National Electrical Safety Code (NESC) and space is reserved for one cross arm or cable connection at a suitable point on each of said poles for use by the municipality.

The Department of Public Works has reviewed this location in the field and has no issues with the proposed pole location.

FISCAL IMPACT: There is no fiscal impact for the Town.

RECOMMENDATION: The Board of Selectmen approves the petition as submitted.

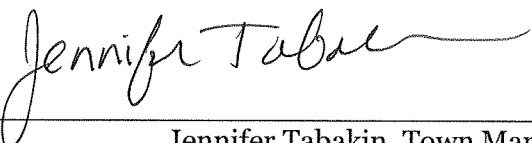
PREPARED AND REVIEWED BY:



Joe Sokol, DPW Superintendent

DATE: 5/8/2014

APPROVED:



Jennifer Tabakin, Town Manager

DATE: 5/13/14

APR 14 2014

Questions contact – Tony Corsi-413-528-7018
PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

**BOARD OF SELECTMEN
GREAT BARRINGTON, MA**

North Andover, Massachusetts

To The Board of Selectmen
Of Great Barrington Massachusetts

NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:


Taconic Ave- Install one stub pole 14-84 and anchor on Taconic Ave beginning at a point approximately 20 feet east of the centerline of the intersection of Oak St.
Location approximately as shown on plan attached


Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Taconic Ave-Great Barrington Massachusetts

13932528 March 31, 2014

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

NATIONAL GRID
BY 
Engineering Department

VERIZON NEW ENGLAND, INC.
BY 
Manager / Right of Way

NOTICE TO ABUTTERS

In accordance with the provisions of Section 22, Chapter 166, of the General Laws, you are hereby notified that a public meeting will be held at Town Hall, 334 Main Street, Great Barrington, Massachusetts, at 7:00 P.M., on the 14th day of May, 2014 on the petition of National Grid & Verizon New England to erect poles and wires upon, along, under, or across one or more public ways in the town of Great Barrington abutting property owned by you.

BOARD OF SELECTMEN

of the Town of Great Barrington

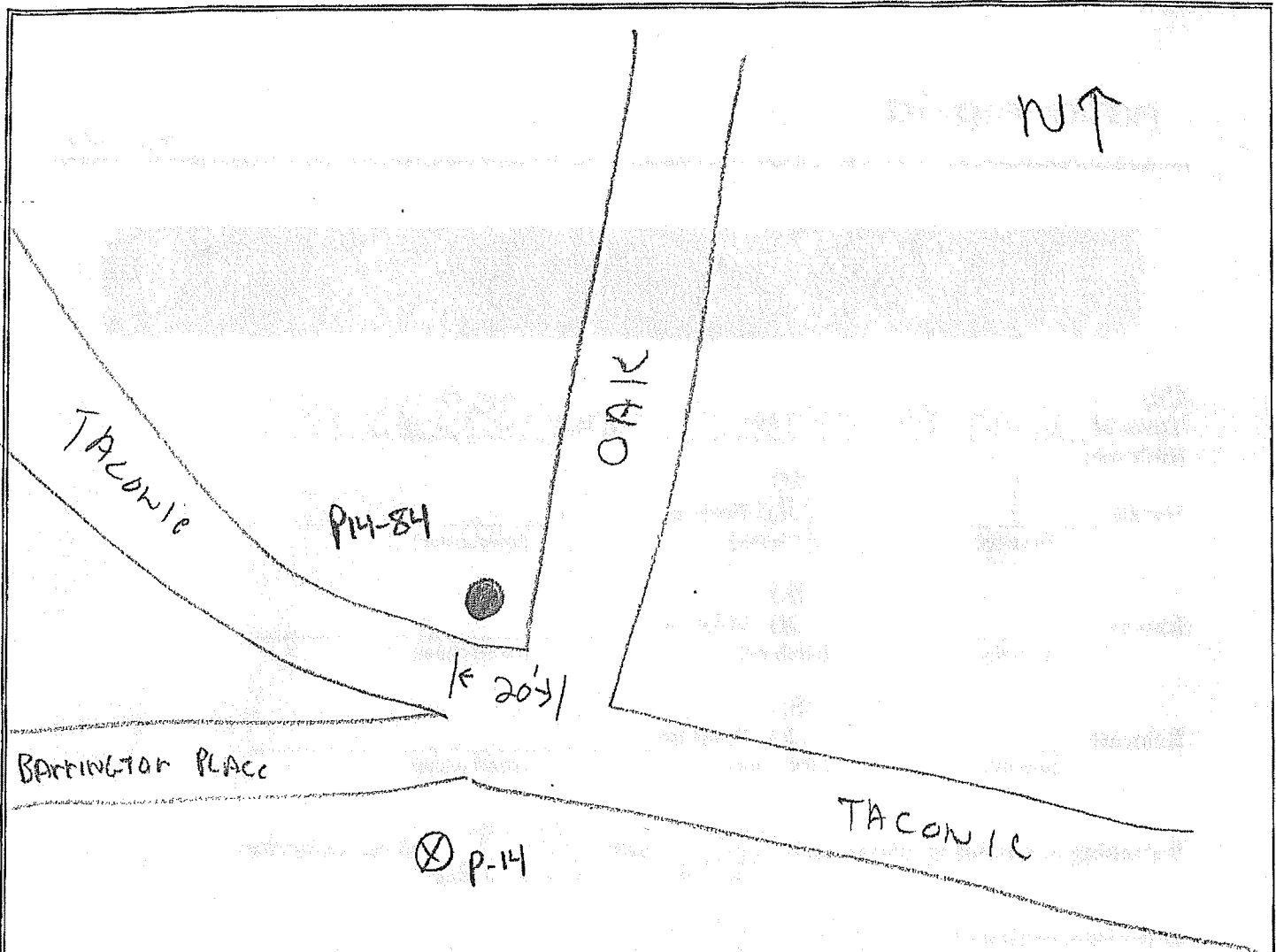
By: Jennifer Tolman
Town Manager

Location of Proposed Pole:

Taconic Ave- Install one stub pole 14-84 and anchor on Taconic Ave beginning at a point approximately 20 feet east of the centerline of the intersection of Oak St.

(Location approximately as shown on plan attached)

DATED: March 31, 2014



****DISTANCES ARE APPROXIMATE****

KEY TO SYMBOLS

- PROPOSED POLE LOCATION
- ⊗ PRESENT POLE LOCATION
- POLE LOCATION TO BE REMOVED

**National Grid
&
Verizon New England Inc**

DATE:

PLAN NO:

TO ACCOMPANY PETITION DATED:

TO THE OF

FOR

DATE OF ORIGINAL GRANT

BY

Abutters - mailed notice on 5/1/14

CT Barrington
#13932528

Hasler

01/27/2014

US POSTAGE

\$00.34⁰



ZIP 01845
011D11627254

Maureen Miloro
National Grid
1101 Turnpike St
North Andover Ma 01845

GT Barrington
13932528

Hasler

01/27/2014

US POSTAGE

\$00.34⁰



ZIP 01845
011D11627254

Mike + Lauren Smith
15 Barrington Place
GT Barrington PL
GT Barrington MA
01230

GT Barrington
13932528

Hasler

01/27/2014

US POSTAGE

\$00.34⁰



ZIP 01845
011D11627254

Mike Caerold
Julie Fagan
115 Taconic Ave
GT Barrington MA
01230

GT Barrington
13932528

Hasler

01/27/2014

US POSTAGE

\$00.34⁰



ZIP 01845
011D11627254

Leven Sethi
Christopher Clark
47 Barrington PL
GT Barrington MA
01230

GT Barrington
13932528

Hasler

01/27/2014

US POSTAGE

\$00.34⁰



ZIP 01845
011D11627254

Anthony Blackwell
Robin Seering
22 Oak St
GT Barrington MA
01230

CT Barrington
13932528

Hasler
01/27/2014



\$00.34⁰



ZIP 01845
011D11627254

Jennifer Upson Clark
10 OAK ST
CT Barrington, MA
01230

CT Barrington
13932528

Hasler
01/27/2014



\$00.34⁰



ZIP 01845
011D11627254

James Woods
Rebecca E Gold
1 Barrington PL
CT Barrington, MA
01230

CT Barrington
13932528

Hasler
01/27/2014



\$00.34⁰



ZIP 01845
011D11627254

Hans + Ruth Heuberger
11 OAK ST
CT Barrington MA
01230

CT Barrington
13932528

Hasler
01/27/2014



\$00.34⁰



ZIP 01845
011D11627254

Debra + James Harris
105 Taconic Ave
CT Barrington MA
01230

GT Barrington
13932528

Hasler
01/27/2014
US POSTAGE

\$00.34⁰



ZIP 01845
011D11627254

Kevin + Claudia Schmitz
128 Taconic Ave
GT Barrington, MA
01230

GT Barrington
13932528

Hasler
01/27/2014
US POSTAGE

\$00.34⁰



ZIP 01845
011D11627254

Townhouses of Oakwood
80 Taconic Ave
GT Barrington MA
01230

GT Barrington
13932528

Hasler
01/27/2014
US POSTAGE

\$00.34⁰



ZIP 01845
011D11627254

John + Dena Whately
140 Taconic Ave
GT Barrington, MA
01230

GT Barrington
13932528

Hasler
01/27/2014
US POSTAGE

\$00.34⁰



ZIP 01845
011D11627254

OAKDALE FOUNDATION INC
16 OAK ST
GT Barrington, MA
01230

ORIGINAL

RECEIVED
TOWN MANAGER

APR 28 2014

BOARD OF SELECTMEN
GREAT BARRINGTON, MA



TOWN OF GREAT BARRINGTON
Temporary Weekday Entertainment License Application

\$25.00 per day X 2 = \$50.00 (pd)

The undersigned hereby applies for a license in accordance with the provisions of MA General Laws, Ch.140 Sec.183A amended, Ch.351, Sec.85 of Acts of 1981 and Ch.140 Sec.181.

Name: SASA ARMOR

Business/Organization: WALKER INTERNATIONAL EVENTS, INC.

D/B/A (if applicable): N/A

Address: 3016 WEBBER ST. # 201 SARASOTA, FL 34232

Mailing Address: AS ABOVE

Phone Number: 800.528.6577

TYPE: (Check all that apply) Concert Dance Exhibition Cabaret DJ

Live band with up to ___ pieces, including singers Public Show

Other (please explain) CIRCUS

INCLUDES: Live music Recorded music Dancing by entertainers/ performers

Dancing by patrons Amplification system Theatrical exhibition

Floorshow Play Moving picture show Light show Jukebox

Other (please explain) VARIETY SHOW / CIRCUS THEME
NO ALCOHOL PERMITTED, NO FOUL
LANGUAGE, FAMILY STYLE ENTERTAINMENT
ONLY

As part of the entertainment, will any person be permitted to appear on the premises in any manner or attire as to expose to public view any portion of the pubic area, anus, or genitals, or any simulation thereof, or whether any person will be permitted to appear on the premises in any manner or attire as to expose to public view a portion of the breast below the top of the areola, or any simulation thereof? (M.G.L.Chp.140 Sec.183A)

___ YES

~~X~~ NO

Please circle: INDOOR or OUTDOOR Entertainment


Exact Location of Entertainment (include sketch): BOGIE'S RESTAURANT + PUB
935 S. MAIN ST. GREAT BARRINGTON, MA

Date(s) of Entertainment*: FRIDAY + SATURDAY : JUNE 27-28, 2014
*Does not include SUNDAY

Start & End Times of Entertainment: FRI: 5:30P - 9P
SAT: 3P - 7P

ALL entertainment licenses will be reviewed by the Design Review Team (DRT), which is comprised of several Town departments, for comments/concerns on this application.

Pursuant to M.G.L. Ch. 62C, Sec. 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.



Signature of Individual or
Corporate Officer

4.24.14

Date



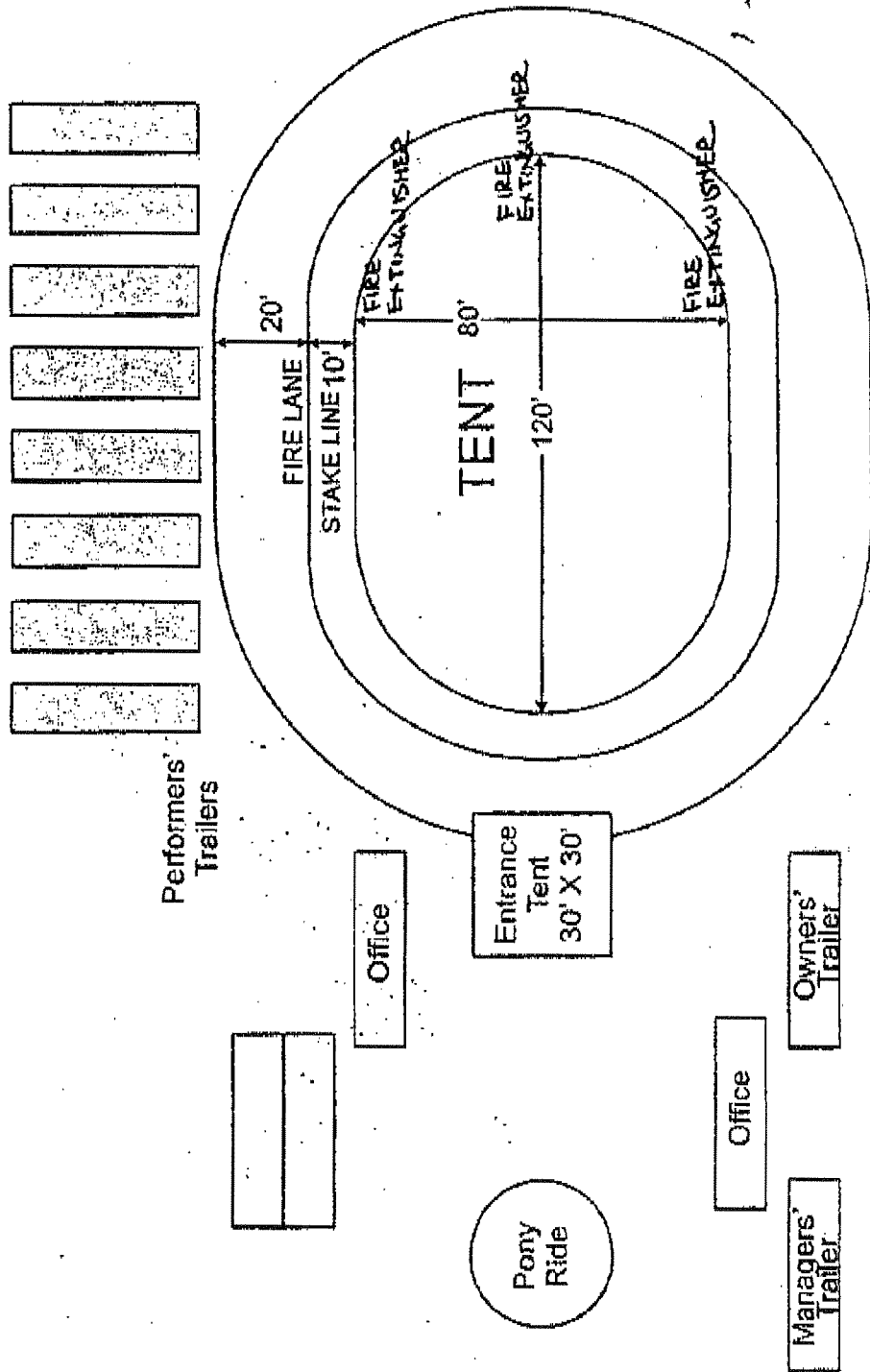
SS# or FID#

TOWN USE ONLY:

DRT Review with Conditions: DRT reviewed 5/6 and has no concerns.
Text permits and food permits are required. CR 5/6/14

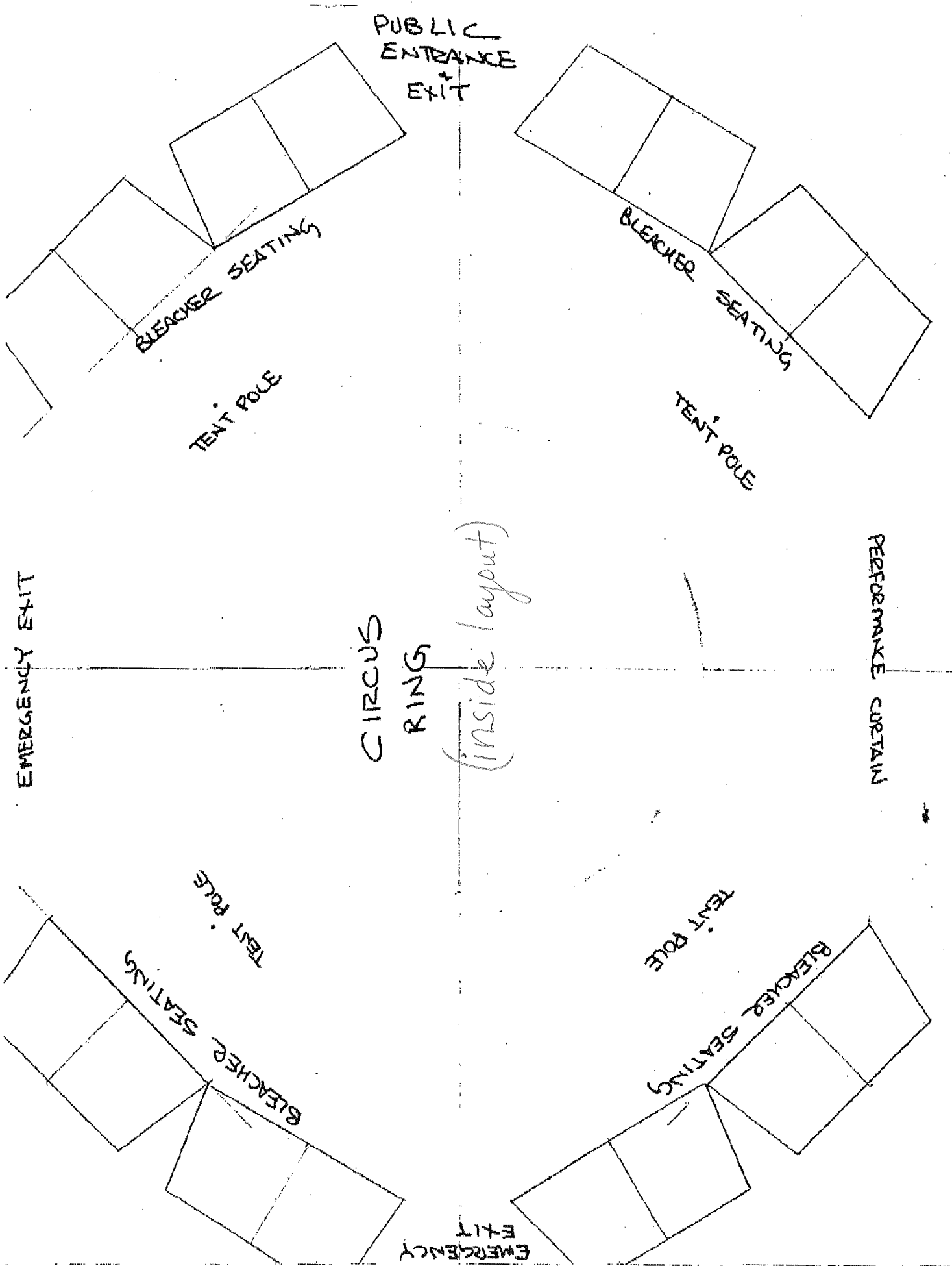
APPROVAL DATE: _____

LICENSE # _____



LOT REQUIREMENTS
 300' X 300'
 Access to potable water
 Trash Containers

(Outside)



Walker International Events – Variety Show / Circus
Bogies 935 Main Street

June 27, 28, 2014

The screenshot displays the MuniMapper web application interface. At the top, the browser address bar shows the URL: mapserver.state.ma.us/mapp/atl/great_barrington.php. The page header includes the text "MuniMapper: Great Barrington, MA" and "Town of Great Barrington Web Site". A search bar is located below the header with the text "Search for a location".

The main map area shows an aerial view of a property with a white outline. The property is labeled "PH 1346". The map is overlaid with various data layers, including flood zones and wetlands. A legend on the right side of the map lists the following layers:

- Rocky Intertidal Shore
- Salt Marsh
- Shallow Marsh Meadow or Fen
- Shrub Swamp
- Tidal Flat
- Wetland Swamp Centric
- Wetland Swamp Deposition
- Wetland Swamp Mixed Trees
- NRES Priority Habitats of Rare Wildlife
- NRES Estimated Habitats of Rare Species

Below the legend, there are two panels: "Available Data Layers" and "Active Data Layers". The "Available Data Layers" panel lists various data sources, including:

- Observation
- Chenopoda
- Natural Heritage and Endangered Species
- NRES Identified Wetland Pools
- NRES Potential Wetland Pools
- NRES Priority Habitats of Rare Species
- NRES Estimated Habitats of Rare Wildlife
- Regulatory Areas
- Municipal and Other Boundaries
- Water Related
- DEP 1:10,000 Wetlands
- DEP Wetlands Change
- DEP Wetlands Disturbed Linear Features
- DEP Wetlands Hydrologic Connections
- DEP 1:25,000 Rivers and Water Bodies
- Dams
- FEMA Flood Zones

The "Active Data Layers" panel shows the following layers checked:

- Tax Parcels
- DEP Wetlands
- NRES Estimated Habitats of Rare Wildlife
- NRES Priority Habitats of Rare Species
- FEMA Flood Zones
- Roads for Query
- Tax Parcels for Query
- Disturbed Features
- Structures

At the bottom of the page, there is a "Basemap" dropdown menu and a "Layers" panel showing the current map layers.

Jennifer Bailly

From: Rick Abdalla <Grr.rr@Verizon.net>
Sent: Wednesday, April 30, 2014 10:26 AM
To: Jennifer Bailly
Subject: Bogies Gt Barrington

To whom it may concern,

On June 27th and 28th Walker International Events will be using the front part of our property for their circus. If you have any questions please give me a call at 528-5959 ex 14.

Thank You
Rick Abdalla

EXECUTIVE SUMMARY

TITLE: Board vote that the maximum useful life of the Loader that was authorized to be purchased at the Town Meeting on May 5, 2014 is 10 years. Article 4 of the Town Meeting authorized the purchasing of a Loader for \$160,000 which will be funded by issuing Bonds. The Clerk of the Board of Selectmen needs to sign the attached form which will be sent to Bond Counsel.

BACKGROUND: Massachusetts borrowing laws require that the Selectmen vote approving the life of the Loader at a maximum of 10 years under G.L. c. 44 section 7 (9).

FISCAL IMPACT: Allows the Bond offering to be structured for more favorable interest rates and thus a lower cost of interest over the life of the bonds. The Town will be doing a bond sale on June 4, 2014 for \$1,657,280. This will include the following: Dewey building improvements \$800,000 and the 2015 capital approved in Article 4 of the 5-5-14 Town Meeting of \$857,280. (Loader \$160,000, Road Improvements \$500,000, Cruiser \$35,280, Dump Truck \$97,000 and Building Improvements \$65,000)

RECOMMENDATION: Voted: that the maximum useful life of the Loader to be financed with the proceeds of the \$160,000 borrowing authorized by the vote of the Town passed May 5, 2014 (Article 4) is hereby determined pursuant to G.L. c. 44 section 7 (9) to be 10 years.

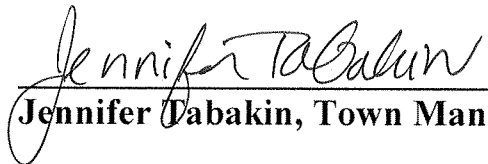
PREPARED BY:



Lauren Sartori, Financial Coordinator

DATE: 5-14-14

Approved:



Jennifer Tabakin, Town Manager

EXECUTIVE SUMMARY

TITLE: Board of Selectmen Appointment to Community Preservation Committee (CPC)

BACKGROUND: The CPC is charged with implementing the Community Preservation Act which provides funding for affordable housing, historic preservation, and open space and recreation projects in Great Barrington. The CPC administers the community preservation fund, adopts a community preservation plan, receives proposals from the public and private sector for expenditures from the fund, and recommends to Town Meeting projects deserving of funding. The CPC bylaw is attached. It sets forth the membership and duties of the CPC.

FISCAL IMPACT: None

RECOMMENDATION: The Selectmen should appoint one of its members to serve on the CPC for a term to expire on June 30, 2017.

PREPARED AND APPROVED BY: _____

Jennifer Tabakun
Town Manager

DATE: 5/13/14

**COMMUNITY PRESERVATION COMMITTEE BYLAW
PURSUANT TO MGL 44b**

Chapter 1: Establishment

There is hereby established a Community Preservation Committee, consisting of nine (9) voting members pursuant to MGL Chapter 44B. The composition of the committee, the appointment authority and the term of office for the committee members shall be as follows:

- a. One member of the Conservation Commission as designated by the Commission for a term of 3 years
- b. One member of the Historical Commission as designated by the Commission for a term of 3 years
- c. One member of the Park Commission as designated by the Commission for a term of 3 years
- d. One member of the Housing Authority Board as designated by its Board of Directors for a term of 3 years
- e. One member of the Planning Board as designated by the Planning Board for a term of 3 years
- f. One member of the Select Board as designated by the Select Board for a term of 3 years
- g. One member of the Finance Committee as designated by the Finance Committee for a term of 3 years
- h. Two citizen members at-large, who do not hold elected or appointed office, nor serve as Town employees, as designated by the Select Board for a term of 3 years

Each member of the Community Preservation Committee, shall serve for a term of three years or until the person no longer serves in the position or on the board or committee as set forth above, whichever is earlier. Any vacancy on the Committee shall be filled by the commission, authority or board that designated the member who creates the vacancy by designating another member in accordance with the above for the unexpired term.

Should any of the Commissions, Boards, Councils or Committees who have appointment authority under this Chapter be no longer in existence for what ever reason, the appointment authority for that Commission, Board, Council, or Committee shall become the responsibility of the Select Board.

Chapter 2: Duties

1. The Community Preservation Committee shall study the needs, possibilities and resources of the town regarding community preservation. The committee shall consult with existing municipal boards, including the Select Board, the Conservation Commission, the Historical Commission, the Planning Board, the Park Commission, the Housing Authority, and the Agricultural Commission, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the committee shall hold one or more public informational hearings on the needs, possibilities and resources of the town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the town. The committee may, after proper appropriation, incur expenses as permitted by state law using funds from the community preservation fund to pay such expenses.
2. The Community Preservation Committee shall make recommendations to Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, preservation,

rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space and community housing that is acquired or created with Community Preservation Funds. With respect to community housing, the community preservation committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites. With respect to recreational use, the acquisition of artificial turf for athletic fields shall be prohibited.

3. The Community Preservation Committee may include in its recommendation to the Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or recommended action to set aside for later spending funds for general purposes that are consistent with community preservation.
4. In every fiscal year, the community preservation committee must recommend either that the legislative body spend, or set aside for later spending, not less than 10% of the annual revenues in the Community Preservation Fund for each of the following categories: (a) open space and recreation, (b) historic resources; and (c) community housing.

Chapter 3: Requirement for a quorum and cost estimates

The Community Preservation Committee shall not meet or conduct business without the presence of a quorum and shall keep a written record of its proceedings. A majority of the members of the community preservation committee shall constitute a quorum. The community preservation committee shall approve its actions by majority vote of the quorum. Recommendations to the Town Meeting shall include their anticipated costs.

Chapter 4: Amendments

The Community Preservation Committee shall, from time to time, review the administration of this By-law, making recommendations, as needed, for changes in the By-law and in administrative practice to improve the operations of the Community Preservation Committee. This Bylaw may be amended from time to time by a majority vote of the Town Meeting, provided that the amendments would not be in conflict with Chapter 44B of the Massachusetts General Laws.

Chapter 5: Severability

In case any section, paragraph or part of this chapter is for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

Chapter 6: Effective Date

Following Town Meeting approval of this bylaw, this Chapter shall take effect immediately upon approval by the Attorney General of the Commonwealth. Each appointing authority shall have thirty days after approval by the Attorney General to make their initial appointments.