

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

MONDAY, AUGUST 12, 2013, 7:00 PM

TOWN HALL, 334 MAIN STREET

ORDER OF AGENDA

1. CALL TO ORDER:

2. APPROVAL OF MINUTES:

July 16, 2013 Special Meeting
July 22, 2013 Regular Meeting

3. SELECTMEN'S ANNOUNCEMENTS/STATEMENTS:

A. GENERAL COMMENTS BY THE BOARD.

4. TOWN MANAGER'S REPORT:

A. FOLLOW UP ITEMS.
B. DEPARTMENT UPDATES
- DPW SUPERINTENDENT – TREE CITY USA DESIGNATION.
C. COMMITTEE UPDATES.

5. PUBLIC HEARINGS:

A. CONTINUATION OF PUBLIC HEARING ON THE SPECIAL PERMIT APPLICATION OF JOHN DELMOLINO, PO BOX 446, MONTEREY, MA FOR THE PARTIAL DEMOLITION AND RENOVATION OF THE EXISTING STRUCTURE AND TO OPERATE A RESTAURANT AT 165 MAIN STREET, GREAT BARRINGTON, MA, IN ACCORDANCE WITH SECTIONS 3.1.4 C (21), 9.6, AND 10.4 OF THE GREAT BARRINGTON ZONING BY LAW.
(DISCUSSION/VOTE)
a. Open Public Hearing
b. Motion to Continue to August 26, 2013

6. LICENSES OR PERMITS:

A. AMY RUDNICK/FAIRVIEW HOSPITAL FOR AN AMENDED TEMPORARY WEEKDAY OUTDOOR ENTERTAINMENT LICENSE FOR SATURDAY, SEPTEMBER 28, 2013 FROM 5:30PM – 8:00PM TO 5:30PM – 11:00PM AT THE TOWN GREEN.
(DISCUSSION/VOTE)

B. BETSY ANDRUS/SO. BERKSHIRE CHAMBER OF COMMERCE, BERKSHIRE CO-OP MARKET AND WSBS RADIO FOR A RAIN DATE OF AUGUST 25, 2013 FROM

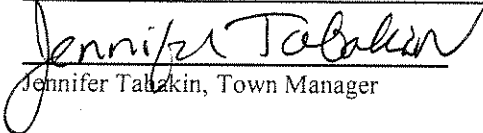
2:00 PM – 10:00 PM IN DOWNTOWN GB FOR SUMMERFEST. (DISCUSSION/VOTE)

- C. BETSY ANDRUS/SOUTHERN BERKSHIRE CHAMBER OF COMMERCE FOR TEMPORARY WEEKDAY OUTDOOR ENTERTAINMENT LICENSE FOR SATURDAY, AUGUST 24, 2013 FROM 3:00PM – 9:00PM AT THE TRIPLEX PARKING LOT FOR STAGE 2. (DISCUSSION/VOTE)
 - D. ADAM MEAD/GB FIRE DEPARTMENT - TO RESCHEDULE THE 2013 ANTIQUE AUTO CAR SHOW. (DISCUSSION/VOTE)
 - E. VICKI COONS/FAIRVIEW HOSPITAL'S RECREATION ASSOCIATION FOR PERMISSION TO HOLD ANNUAL MONSTER DASH 5K RUNNING RACE/WALK AND 1 MILE WALK ON SATURDAY, OCTOBER 26, 2013 BEGINNING 9:30AM, STARTING AND FINISHING AT FAIRVIEW HOSPITAL OUT-PATIENT REHAB SERVICES (OLD CONDOR BUILDING). (DISCUSSION/VOTE)
 - F. FAIRVIEW HOSPITAL/LARKIN LTD. FOR PERMISSION TO HANG A BANNER ACROSS MAIN STREET (FROM TUNE STREET TO TOM'S TOYS BUILDING) FROM AUGUST 26, 2013 - SEPTEMBER 30, 2013. (DISCUSSION/VOTE)
7. **NEW BUSINESS:**
- A. REVIEW OF BOS POLICIES AND PROCEDURES RE: ITEM VIII. CITIZEN SPEAK PROCEDURES. (DISCUSSION/VOTE)
 - B. NATHANIEL KARNS/BRPC – REQUEST FOR SUPPORT FOR THE 6 TOWN RIVER CLEAN UP. (DISCUSSION/VOTE)
8. **OLD BUSINESS:**
- A. SALE OF CASTLE STREET FIRE STATION. (DISCUSSION/VOTE)
 - B. SOLARIZE MASS - SOLAR COACH AND MUNICIPAL REPRESENTATIVE. (DISCUSSION)
9. **SELECTMEN'S TIME:**
10. **CITIZEN SPEAK TIME:**
- A. MARYELLA BOWEN SATINOVER RE: DOG ISSUE AT TOWN CEMETERIES. (DISCUSSION)

11. **MEDIA TIME:**

12. **ADJOURNMENT:**

NEXT SELECTMEN'S REGULAR MEETING: MONDAY, AUGUST 26, 2013 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.

Diego Gutierrez, Architect
123 Front Street Housatonic MA 01236
413.854.8955 housyarch@verizon.net

July 30, 2013

**Board of Selectmen
Town of Great Barrington**

RE: 165 Main Street
Great Barrington, MA
Application for a Special Permit

Dear Board,

On behalf of the applicant John Delmolino, owner of the above referenced property, I would like to request a continuance, to the August 26, 2013 meeting, on the application for a restaurant special permit, per 3.1.4 C(21) and for exterior changes in the Village Center Overlay District, per 9.6 and 10.4 of the Zoning code, in order to more fully address the concerns of the Planning Board expressed to us at the latest hearing.

Thank you.



Diego Gutierrez, Architect

Cc: John Delmolino, Real Estate Connections
Christopher Rembold, Town Planner

165 Main Street, G.B.

TOWN OF GREAT BARRINGTON

NOTICE OF PUBLIC HEARING

The Board of Selectmen will hold a public hearing on ~~Monday, August 12, 2013 at 7:00 PM~~ at Town Hall, 334 Main Street, Great Barrington, MA to act on the special permit application of John Delmolino, PO Box 446, Monterey, MA, for the partial demolition and renovation of the existing structure and to operate a restaurant at 165 Main Street, Great Barrington, MA, in accordance with Sections 3.1.4 C (21), 9.6, and 10.4 of the Great Barrington Zoning Bylaw.

Sean Stanton, Chairman

Publish Friday, July 26, 2013 and Friday, August 2, 2013

Berkshire Record

Request for Amended License



TOWN OF GREAT BARRINGTON Temporary Weekday Entertainment License Application \$25.00 per day

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: Amy Rudnick, Event Planner for

Business/Organization: Fairview Hospital

D/B/A (if applicable): _____

Address: 29 Lewis Ave., Gt. Barrington, MA 01230

Mailing Address: _____

Phone Number: 413.229.2786

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

Live band with up to 3 pieces, including singers Public Show

Other (please explain) _____

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) Fireworks
(launched at Memorial Field)

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): under a tent
on Town Hall Green

Date(s) of Entertainment*: Saturday, Sept. 28, 2013
*Does not include SUNDAY

Start & End Times of Entertainment: 5:30 p.m. to 11:00 p.m.

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.

Amy Rudnick

Signature of Individual or
Corporate Officer

7.26.13

Date

SS# or FID#

TOWN USE ONLY:

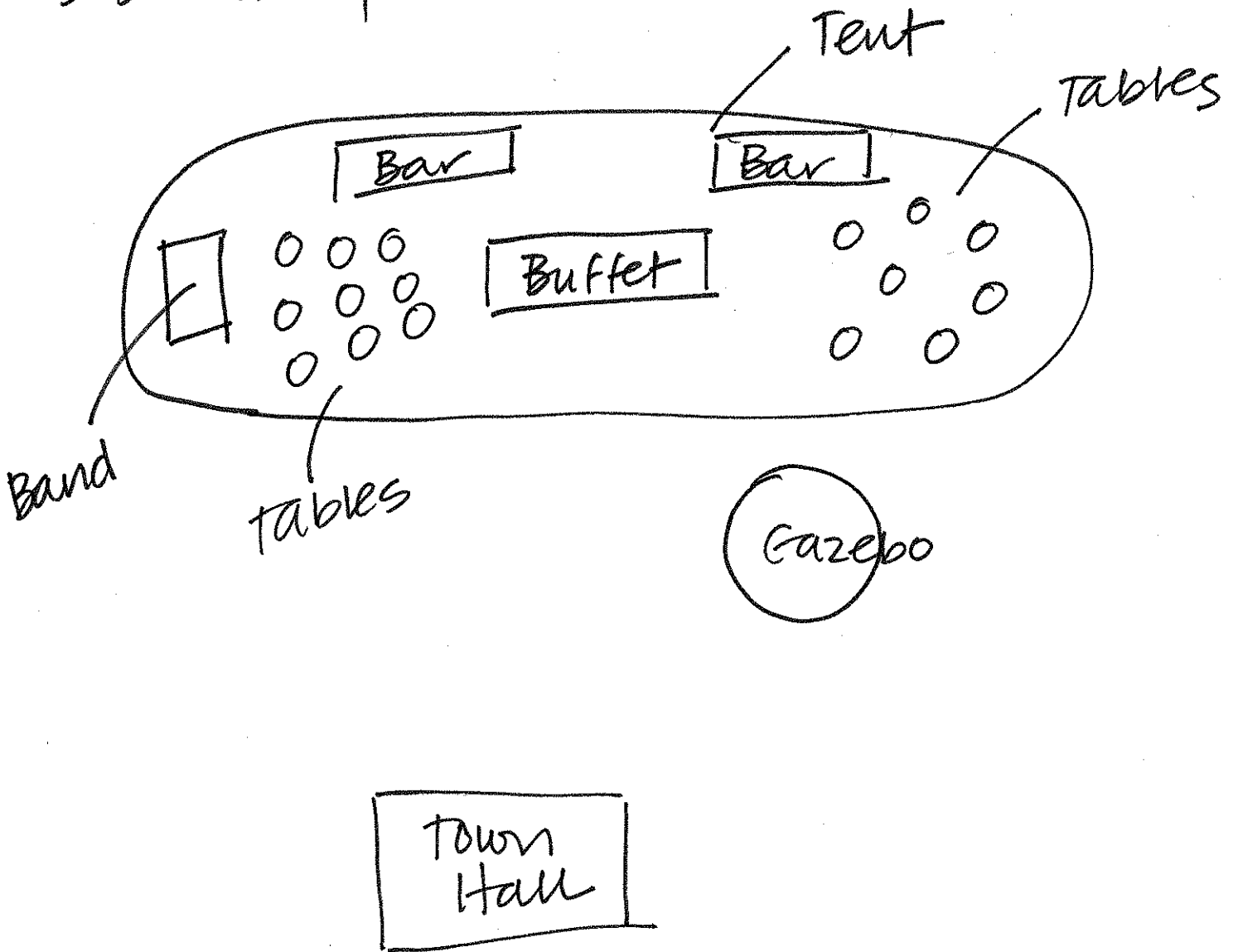
DRT Review with Conditions: OK with DRT. Note late night
timing of event. (CP) 7/30/13

APPROVAL DATE: _____

LICENSE # _____

Fairview Hospital
Centennial Gala
Sept. 28, 2013

5:30 - 11:00 pm





*COPY
of Original
License*

**TOWN OF GREAT BARRINGTON
Temporary Weekday Outdoor Entertainment License**

License Number:
2013-08

Fee:
\$25.00

In accordance with the provisions of Massachusetts General Laws, Ch.140 Sec.183A amended, Ch. 351, Sec. 85 of Acts of 1981 and Ch.140 Sec.181, LICENSE is hereby granted to:

First Name:
Lauren

Last Name:
Smith

Organization or Business Name:
Fairview Hospital

Address:
29 Lewis Avenue, Gt Barrington, MA 01230

Mailing Address:
(same)

to conduct the amusements as herein described:

Type(s) of Entertainment:
Live band with up to 3 pieces including singers, Live music, Amplification system

Exact Location of Entertainment:
Under a tent next to the Bandstand Green at the Great Barrington Town Hall, 334 Main Street

Date(s) of Entertainment:
Saturday, September 28, 2013

Times of Entertainment:
5:30 PM to 8:00 PM

Conditions (if required):
*See attached DRT conditions

Such LICENSE shall not be valid for any location/dates/times other than as herein described.

License granted by the
BOARD OF SELECTMEN:

Expiration Date:
September 29, 2013

The Board of Selectmen reserves the right to modify or revoke this license if complaints are received by the Police Department regarding excessive noise.

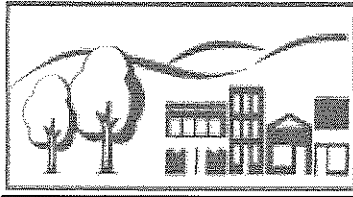
Chris Rembold

From: Chris Rembold
Sent: Tuesday, April 09, 2013 4:04 PM
To: Jennifer Bailly
Cc: Chris Rembold
Subject: Fairview gala - Entertainment license

Jenn, the DRT reviewed the Fairview permit request for 9/28/13 behind Town Hall. The event is OK with the DRT, with the following conditions:

1. Tent permit will be required from the Building Inspector, and compliance with 521 CMR will be enforced. This includes handicapped access to the tent (i.e. a provision for access other than through the gazebo). Sides (including brush and branches) are not permitted unless this is part of the approved tent permit and proper emergency egress is provided.
2. Food permit will be required from Board of Health prior to the event.
3. Permission from the Parks Commission is required.

Christopher T. Rembold, AICP
Town Planner
Town of Great Barrington
334 Main Street
Great Barrington, MA 01230
Ph: (413) 528-1619, x. 7
www.townofgb.org
Follow our blog: www.gbplanning.wordpress.com



SOUTHERN BERKSHIRE CHAMBER OF COMMERCE

Dear Jennifer,

I am scheduled to appear before the Select Board Monday evening for the approved of Stage 2, to be located in the TriPlex parking lot.

At that time, I would also like to request the approval of a rain date for SummerFest, Sunday August 25, 2013. With the weather we have been experiencing I think it would be wise to plan for bad weather. I would request that all permits relevant to the event would carry over to that rain day if need be.

Thank you.

Betsy Andrus

Executive Director
Southern Berkshire Chamber

RECEIVED
TOWN MANAGER

JUL 30 2013

BOARD OF SELECTMEN
GREAT BARRINGTON, MA



TOWN OF GREAT BARRINGTON
Temporary Weekday Entertainment License Application
\$25.00 per day

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: Betsy Andrus

Business/Organization: Southern Berkshire Chamber

D/B/A (if applicable): _____

Address: 40 Railroad Str.

Mailing Address: PO Box 810

Phone Number: 413-528-4284

TYPE: (Check all that apply) Concert Dance Exhibition Cabaret DJ
 Live band with up to 7 pieces, including singers Public Show
 Other (please explain) _____

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

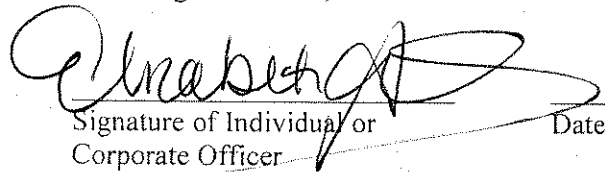
Exact Location of Entertainment (include sketch): Stage 2 - triplex
panary lot - see drawing.

Date(s) of Entertainment*: Sat. Aug 24, 2013
*Does not include SUNDAY

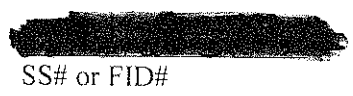
Start & End Times of Entertainment: 3-9 pm

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

7.30.13
Date


SS# or FID#

TOWN USE ONLY:

DRT Review with Conditions: Stage 2 location ok with DRT
(CR) 7/30/13

APPROVAL DATE: _____

LICENSE # _____



SummerFest



Aug 24 2013 3 -9 pm
Downtown Great Barrington

Don't miss it, 3 stages, 9 bands, local vendors,
local entertainment, great food and lots of fun!

Stage 2:

Stage two will be located in the parking lot to the right of the TriPlex if you are facing the TriPlex. We will be blocking off the top entrance. Traffic will still be allowed to enter thru the Carr Hardware entrance. We will be monitoring the lot and placing a sign letting people know when the lot is full. We have spoken with Richard Stanley and he has given his permission for us to use the parking lot, his entrance and the deck of the TriPlex.

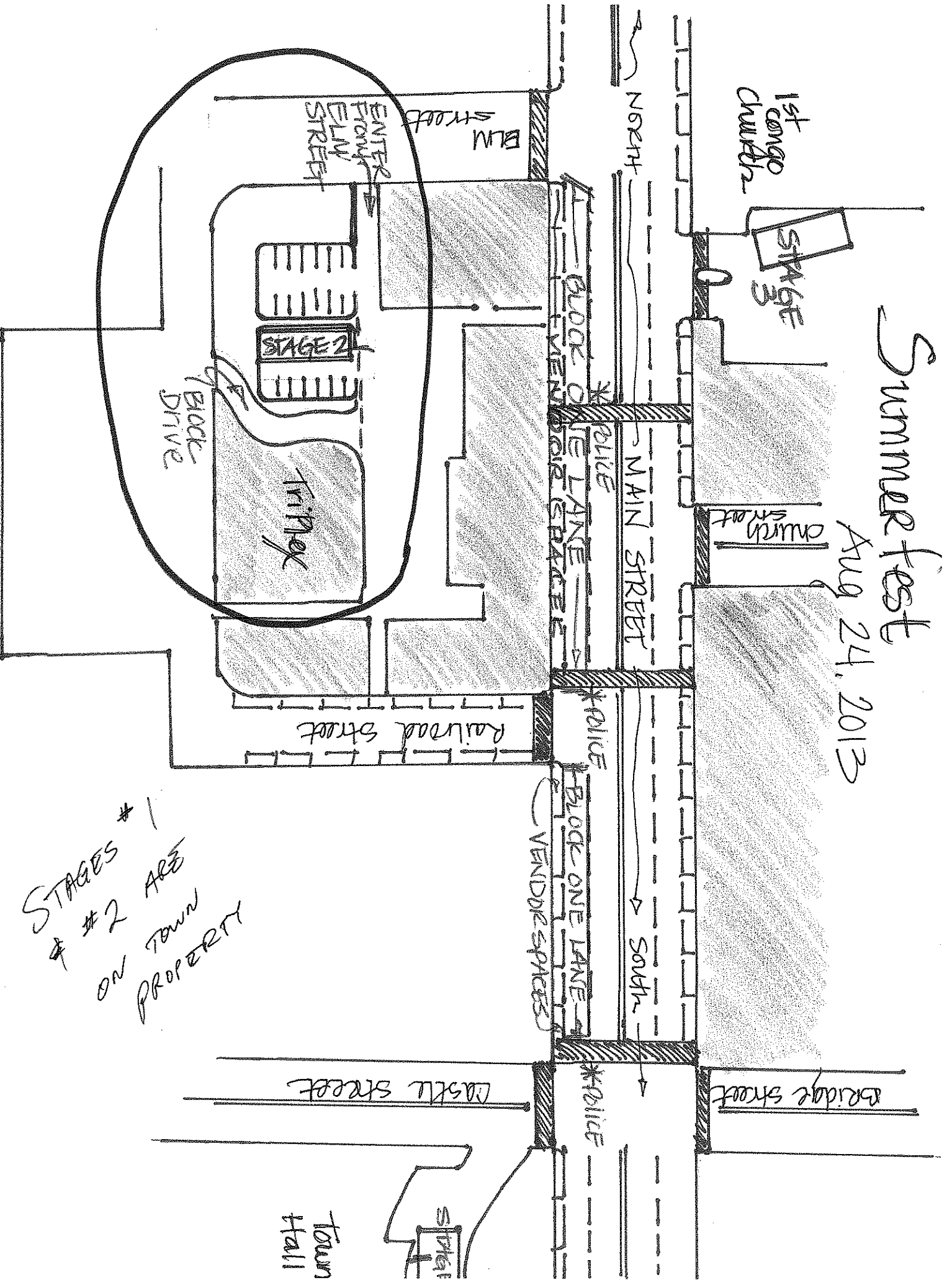
Betsy Andrus

413-528-4284

*This location is
Town property (CR)*

Summer fest

Aug 24, 2013



STAGES #1 & #2 ARE ON TOWN PROPERTY

1st Congo Church

STAGE

Church Street

MAIN STREET

South

Bridge Street

Castle Street

Town Hall

STAGE 1

Railroad Street

BLOCK ONE LANE VENDOR SPACES

BLOCK ONE LANE VENDOR SPACES

BLM Street

ENTER FROM ELM STREET

BACK DRIVE

Triplex

STAGE 2

POLICE

POLICE

POLICE



*Original
Submission*

TOWN OF GREAT BARRINGTON
MASSACHUSETTS

DEPARTMENT OF PUBLIC WORKS

EXECUTIVE SUMMARY

TITLE: 2013 Main Street Car Show

BACKGROUND: August 1, 2013 will be fifth year in a row the Great Barrington Fire Department has made the request for closing the streets for the Main Street Car Show. The event has been a success from its beginning and has become an annual event in the Town.

As in previous years Town Hall will have vehicles parked on site along with a request to eliminate parking on Main Street from Bridge Street to Elm Street, Castle Street and both sides of Railroad Street. Temporary "No Parking after 2:00pm" signs will be placed on Main Street, Railroad Street, Castle Street, and around Town Hall.

Main Street will narrow down to tractor-trailer traffic only after 3:30 pm with the assistance of the GBPD. "Car" traffic will re-route up Bridge Street, East Street, and Cottage Street. GBPD will WALK ALL tractor-trailer traffic down Main Street during the car show.

All show cars will be cleared from Main Street, Railroad Street, Castle Street, and Town Hall by 9:00pm. All roads will then be open for normal traffic.

RECOMMENDATION: The Board of Selectmen vote to support this event and send a letter of support.

FISCAL IMPACT: There is no fiscal impact for the Town. All costs associated with the race are borne by the organizer.

PREPARED BY: _____

Joe Sokul
Joe Sokul, DPW Superintendent

DATE: _____

7/1/2013

REVIEWED BY: _____

Jennifer Tabakin
Jennifer Tabakin, Town Manager

DATE: _____

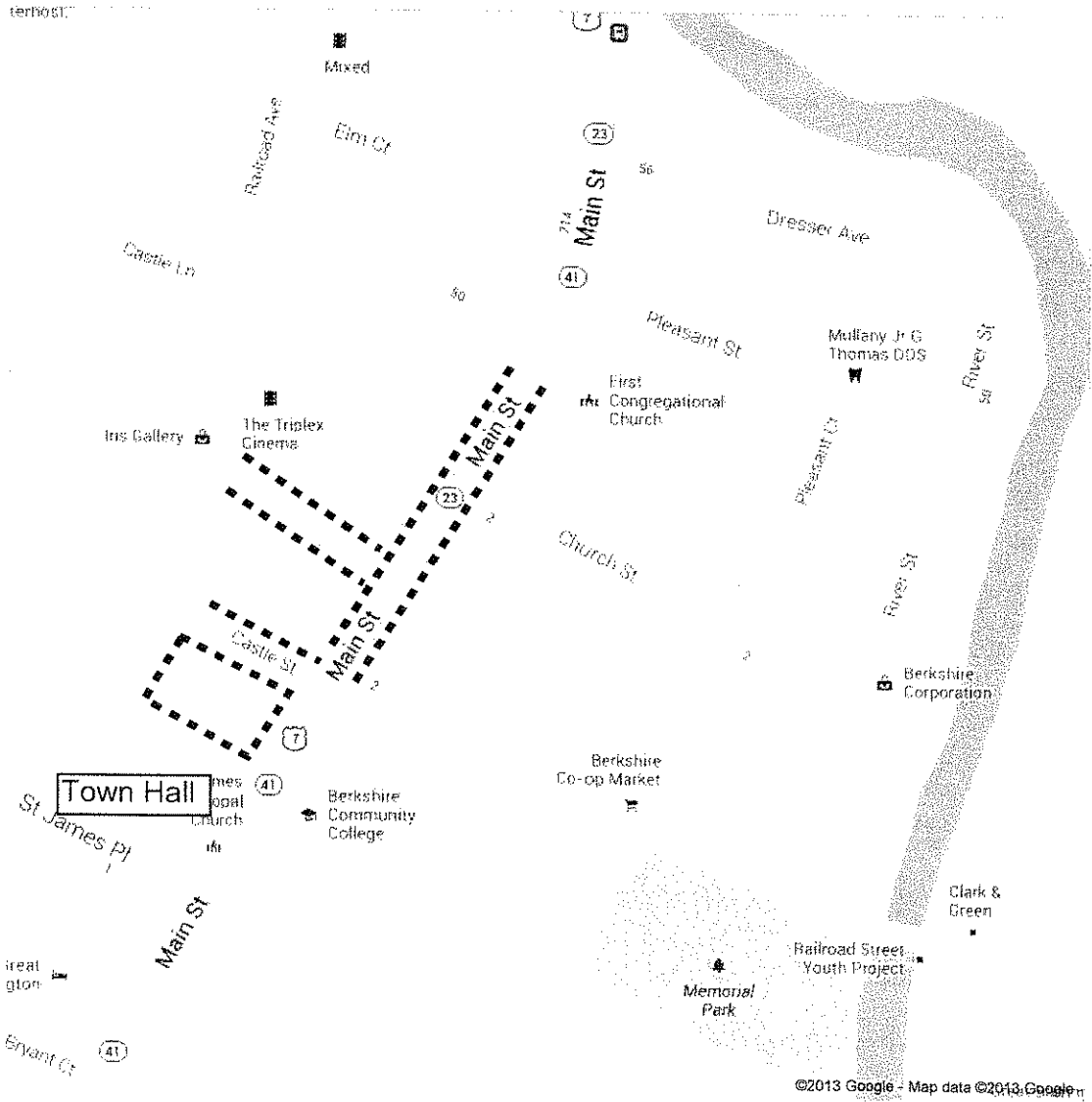
7/1/13

Google

Get Google Maps on your phone



Text the word "GMAPS" to 466453

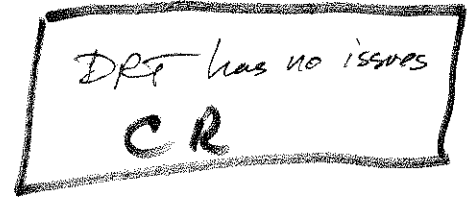


Board of Selectmen
Town of Great Barrington
334 Main St.
Great Barrington, MA 01230

RECEIVED
TOWN MANAGER

JUL 25 2013

BOARD OF SELECTMEN
GREAT BARRINGTON, MA



July 23, 2013

Dear Selectboard:

As a representative of Fairview Hospital's Recreation Association I am requesting permission for us to hold our annual Monster Dash 5k running race/ walk and 1 mile walk on Saturday October 26, 2013.

We would like to begin the event at 9:30 AM, starting and finishing at Fairview Hospital's Out-Patient Rehabilitation Services (the old Condor Chevrolet site). The run route will head west on Rt. 23, turn left onto West Sheffield Rd., turn around just before Wyantenuck Country Club and return to start. The walk route will head downtown to Berkshire Bank and back.

We will have volunteers on the course and I have spoken with Chief Walsh regarding this event. If you have any questions I can be reached at 528-8600, ext. 5142.

I look forward to hearing from you and hope that you will be able to approve this community event. Upon your approval I will submit the application for permit to the Mass. Highway Department.

Sincerely,

A handwritten signature in cursive script that reads "Vicki Coons".

Vicki Coons, Race Director
Fairview Hospital
29 Lewis Ave.
Great Barrington, MA 01230
vcoons@bhs1.org
413-528-8600 ext. 5142

Edwin A. Ma...
Inspector of Buildings



Town Hall, 334 Main Street
Great Barrington, MA 01230

Telephone: (413) 528-3206
Fax: (413) 528-3064

TOWN OF GREAT BARRINGTON
MASSACHUSETTS

OFFICE OF THE INSPECTOR OF BUILDINGS
APPLICATION FOR A SIGN PERMIT

NO SIGN IS TO BE ERRECTED OR ALTERED UNTIL A PERMIT IS GRANTED

The undersigned hereby apply/applies for a sign permit to erect or alter/amend a sign in accordance with the provisions relating hereto.

Application Date: 8/7/13

Application Made By: _____

Applicant's Address: _____
LARKIN LTD
974 MAIN STREET SUITE 1
GREAT BARRINGTON MA 01230

City, State, Zip: _____

Telephone Number: 413-528-8908

X Property Owner's Name: Tan's Toys Building LLC

X Property Owner's Address: 297 Main St

X Signature of property owner indicating consent: Tan

X Date: 8-3-13

X Location where sign permit is to be used: 291-297 MAIN ST

Sign District _____

Type of Sign

- Free Standing
- Wall-Mounted (flat on wall)
- Shingle (Projecting)
- Sandwich Board Sign
- Double-Sided
- Permanent Sign
- Temporary Sign

Install Date 8/26/13

Remove on 9/30/13

SIGN



FEE: \$35.00 FOR EACH SIGN

**TOWN OF GREAT BARRINGTON
MASSACHUSETTS**

**OFFICE OF THE INSPECTOR OF BUILDINGS
APPLICATION FOR A SIGN PERMIT**

NO SIGN IS TO BE ERRECTED OR ALTERED UNTIL A PERMIT IS GRANTED

The undersigned hereby apply/applies for a sign permit to erect or alter/amend a sign in accordance with the provisions relating hereto.

Application Date: 8/7/13

Application Made By: _____

Applicant's Address: LARKIN LTD
974 MAIN STREET SUITE 1
GREAT BARRINGTON MA 01230

City, State, Zip: _____

Telephone Number: 413-528-8908

Property Owner's Name: WARE BLOCK LLC

Property Owner's Address 168 MAINST SUITE 3 GB, 01230

Signature of property owner indicating consent James J. Humbard -
for Property Humbard

Date: 7/30/13

Location where sign permit is to be used: 292 MAINST. GB 01230

Sign District _____

Type of Sign

- Free Standing
- Wall-Mounted (flat on wall)
- Shingle (Projecting)
- Sandwich Board Sign
- Double-Sided
- Permanent Sign
- Temporary Sign

Total Area of Requested Sign: 120 Sq. Ft. Height: 3' Width: 40'

If sign is to be wall mounted, give total Area of Wall Façade: _____ Sq. Ft.

Type of Illumination (if applicable, check one)

_____ Internal

_____ External

None

_____ Other - Please specify _____

Setbacks – footage from sign to edge of roadway _____ Street line: _____

Height From Bottom of Sign to Grade _____

Facing property from road: Side property line (Left) _____ (Right Side) _____

HISTORIC DISTRICT COMMISSION/ZONING BOARD OF APPEALS

Is approval required from?

Historic District Commission: _____ Yes (Please provide documentation of HDC approval with this application.)

No

Zoning Board of Appeals: _____ Yes (Please provide documentation of ZBA approval with this application.)

No

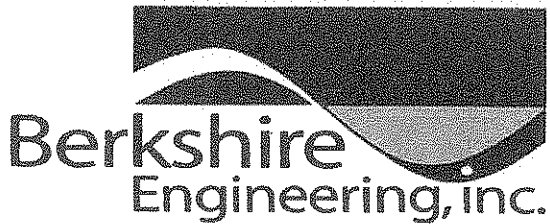
* If approval is required by ZBA and or HDC then such approval MUST be obtained prior to issuance of a Sign Permit*

I hereby certify that the dimensions and other information on the Plans are correct and that all applicable provisions of the Statutes, Regulations and By-laws will be complied with. The above is subscribed to and executed by me under the penalties of perjury in accordance with Section 1-A of Chapter 268 of the General Laws.

Applicant's Signature _____

Date: 8/7/13

ATTACH A PHOTO OR SKETCH INDICATING THE COLORS AND MEASUREMENTS OF THE PROPOSED SIGN OR SIGNS



August 7, 2013

Mr. Edwin May, Inspector of Buildings
Town of Great Barrington
20 Castle Street
Great Barrington, MA 01230

**RE: Seasonal Display, Structural Review –
Main Street
Great Barrington, MA**

Dear Mr. May:

Berkshire Engineering Inc. has been retained to review an existing galvanized wire rope strung across Main Street, in Great Barrington, MA. The wire rope has traditionally been used to display hanging seasonal decorations and informational banners to passing motorists and pedestrians below.

As part of this evaluation the following actions were completed:

- Engineers non-destructive on-site visual review of existing connections and components, completed August 6, 2013.

This evaluation has been conducted with reference to the following design standards:

- Massachusetts State Building Code 780 CMR Eighth Edition, specifically the 2009 International Residential Code with Massachusetts Amendments.

Berkshire Engineering Inc. has reviewed the visible connections, and component structural soundness, of the above noted wire rope display hanger. It is our conclusion that a free swinging vinyl banner, as proposed by Larkin Limited, can safely be displayed using the existing wire rope assembly. In addition to this preliminary review, the following actions shall be completed in conjunction with any proposed installation:

- Owner/ Contractor shall notify Berkshire Engineering Inc. a minimum of 48 hours in advance of a proposed banner installation.
- Owner/ Contractor shall provide suitable site access to Berkshire Engineering Inc. personnel during the course of installation to allow for thorough review of all in-situ structural connections and display attachment.
- Owner/ Contractor shall make any and all upgrades and enhanced structural attachment as deemed necessary by the engineer to satisfy Massachusetts State Building Code and ensure continued public safety below.
- Owner/ Contractor are responsible for furnishing all safeguards during construction.
- Berkshire Engineering Inc. shall provide the Great Barrington Inspector of Buildings with notice indicating satisfactory installation of any proposed banner within 2 business days of installation.

Should you require any additional information, please let us know.

Respectfully Submitted,

Nicholas Andersen
Project Engineer





33 in



100 years of caring

www.berkschealthsystems.org



Fairview Centennial Gala
Starting Ato Guthrie—Here Come the Kid(s)

Sept. 28
at Mahaiwe Performing
Arts Center

470 in



Install Date
August 26th 2013
Remove on Sept 30th

Project Name:

Phone #:

Phone: 413-528-8908

Scaler: As Noted

Proofed By:

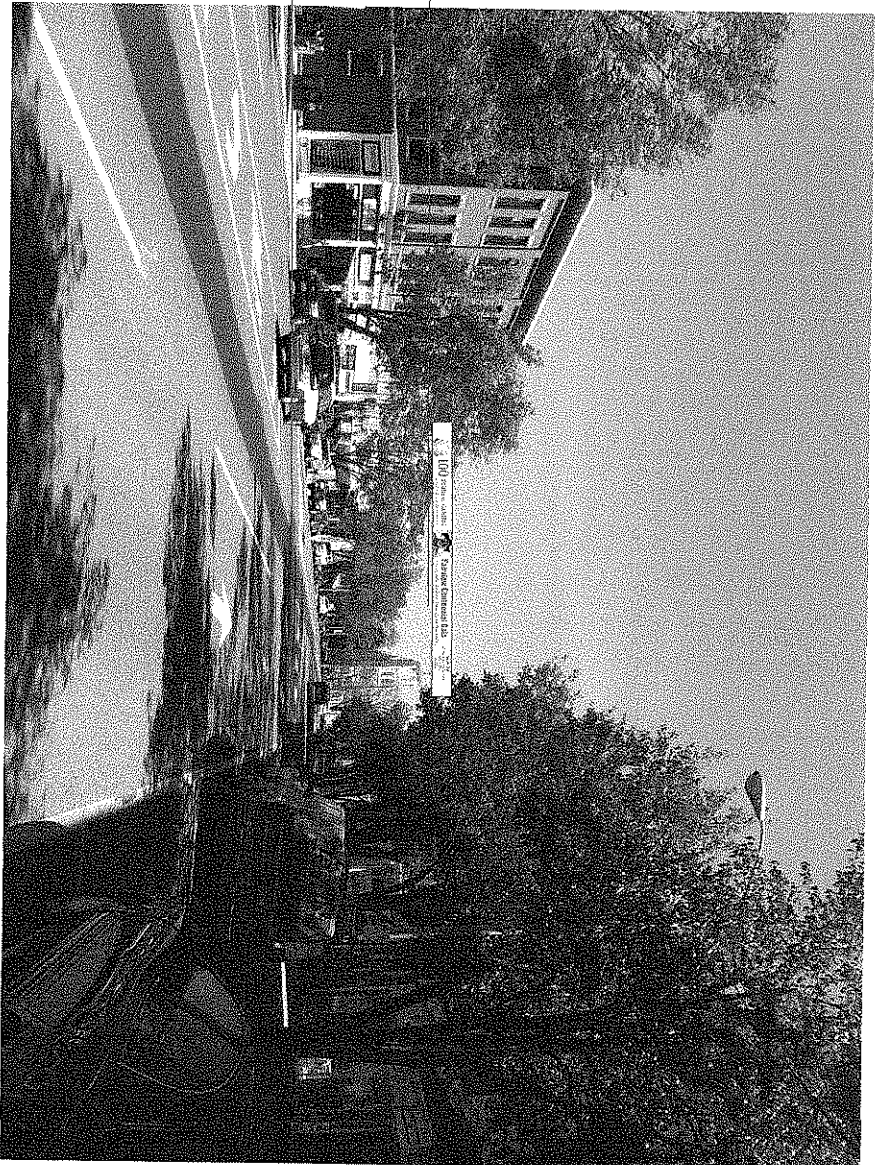
Fax: 413-528-8906

Date:

Estimated Cost:

Email: LarkinLTD@verizon.net
Address: 974 Main St STE 1
Great Barrington, MA 01230

14' From Bottom of Banner to Grade



Note: The Banner will Have Two 30 ft Heavy Duty Ropes On Each Corner And 20 Grommets On Top within 3' Apart From Eachother. The Bottom of Banner will have 3 12 feet Wood Dowels Installed For Weight Keep the Banner down from high winds. (Like the Mahaiwe Banner From Last year.) It was Very successful.

This is 19 oz Heavy Duty Banner Which its Design for This. We are going to use D Shape Carabineers Hooks To hang it from each grommet to the wire. The ropes will be tied to the buildings Where the end of the wire is attached to.

Project Name:

Phone #:

Phone: 413-528-8908

Scaler: As Noted

Proofed By:

Fax: 413-528-8906

Date:

Estimated Cost:

Email: LarkinLTD@verizon.net
Address: 974 Main St STE 1
Great Barrington, MA 01230





TOWN OF GREAT BARRINGTON
MASSACHUSETTS

MEMORANDUM

TO: BOS
FROM: Edwin May C B O
DATE: 8/7/13
COPY: file
SUBJECT: Main St Banner – Fairview Hospital Centennial Gala

I find the Fairview Hospital centennial Gala event banner application to be complete and correct as per the following checklist of requirements for Banners c.146-6 (1);

App. Complete	OK
Attachment eng	OK
Insurance Bond	OK
Size	OK
Length of time	OK
Number of banners	OK
Permit from BOS	8/12/13 application
Zoning district	OK

Revised 3/26/12

Board of Selectmen

Policies and Procedures

I. Meeting Schedule

Regular Meeting(s)

Regular meetings of the Selectmen shall be the second and fourth Mondays of the month. The Board shall not meet on days designated as legal holidays. When a meeting date is to be rescheduled because of a legal holiday, the Board shall meet on the Tuesday following the holiday.

Public comment(s) is addressed in Section VIII. Citizen Speak Procedures.

Workshop Meeting(s)

Selectmen's workshop meetings shall be held as informational sessions on various topics. The focus of these meetings is for members of the Board to discuss issues in-depth with fellow Selectmen.

Public comment(s) at workshops will be at the conclusion of discussion by the Selectmen, prior to a vote being taken and limited to 5 minutes per person.

All meetings of the Selectmen shall be duly posted in compliance with MGL Open Meeting Law requirements.

A. Notice of Meetings

The Town Manager on behalf of the Chair is responsible for providing the Agenda to the Town Clerk in accordance with the Open Meeting Law for posting on the Town's website, Police Station and notifying the media.

B. Meeting Procedures

Meetings are to be conducted in accordance with generally accepted rules of parliamentary procedure. Robert's Rules of Order is used as a guide in matters requiring clarification of definition. Motions to reconsider must be made no later than the next regularly scheduled business meeting following the meeting at which the original vote was taken.

A quorum shall consist of three members of the Board. At times when only three members are present, for a vote to be considered a majority, all three members must vote similarly. Approvals of Special Permits shall require a majority vote of four (4) members of the Board.

Any rules or procedures as to functioning of the Board may be amended, repealed or otherwise acted upon by a majority vote, at a duly posted meeting of the Board of Selectmen, provided a quorum of members is in attendance.

Although the press and the public have the right to be present at any open meeting, they have no right to participate except during public hearings unless and until they are recognized by the Chair. All public inquiries shall be addressed to the Chair.

Meeting participants shall conduct themselves in a professional manner. No demonstrations or signs will be allowed in the meeting room. Individual shall refrain from verbal outbursts. Cell phones and pagers shall be turned off prior to the meeting.

Anyone addressing the Board during the meeting shall proceed to the lectern after being recognized by the Chair. Before speaking, they shall state their name and address. There shall be a time limit of 5 minutes per speaker unless extended by the Chair.

II. The Officers of the Board

A. The Chair

The Chair is chosen by fellow Selectmen to serve a term of one year. The responsibilities of the Chair include: preparation of the agenda for all Selectmen's meetings with the Town Manager, calling meetings of the Board, presiding over all meetings and public hearings, recognizing others to speak during each meeting and encouraging complete discussion of all relevant issues before the Board. Being Chair does not mean the Chair forfeits the right to vote on any matter or the right to express himself as a Board member.

B. Vice-Chair/Clerk

The Vice-Chair/Clerk is responsible for serving as Chair in the Chair's absence. The Clerk of the Board shall sign all documents as required by law.

III. Preparing the Agenda

The responsibility for preparing the agenda for the Selectmen's meetings shall be the Chair of the Board and the Town Manager. Finalized agendas along with supporting background information shall normally be available no later than the close of business on the Thursday of the week prior to the next scheduled meeting. The deadline for having requested items on the agenda is 12:00 P.M. the Wednesday of the week prior to the next scheduled meeting. All information relevant to the agenda topic shall also be provided by this time. All information shall be provided to the office of the Town Manager to be included in the agenda packets.

Any items requested by members of the Board shall be placed on the Agenda, however, the Chair and Town Manager will use discretion and may need to defer a topic to the next available meeting. Agenda items will be deferred to the next meeting if supporting documentation is

received after the 12:00 PM deadline.

Agenda items should include background information with the agenda packets so that Board members can review and prepare for discussion prior to the meeting. This procedure does not limit an individual Selectman from raising a concern about an issue under "Selectmen's Time". However, no formal action shall be taken by the Board until a future meeting.

Before raising issues publicly at a meeting, Board members should first advise the Town Manager prior to the meeting of issues, concerns, or complaints so that an appropriate response or update can be provided.

IV. Public Hearing Procedures

State law and various Town bylaws require the Selectmen to hold public hearings on certain issues before any action can be taken. The Board will schedule the dates for the hearings.

A. The Chair will open the hearing by identifying the purpose of the hearing and the rules to be followed during the hearing. The Chair will ask for a motion to open the public hearing to be voted on by members of the Board.

B. The Selectmen have the authority to subpoena a person or relevant information.

C. The basic format of the hearing will be:

1. Chair shall open the public hearing
2. Explanation of project
3. Speak in Favor/Opposition
(Note if there are any letters submitted and if they were in favor or opposition)
4. Motion to close public hearing
5. Motion re: findings of fact
6. Motion re: approval/denial/table

V. Special Permit Regulations

A. Authority and Jurisdiction

These rules and regulations are established and promulgated by the Selectmen of Great Barrington pursuant to the provisions of Massachusetts General Laws, Chapter 40A, Section 9 as amended; Chapter 593 of the Acts of 1989, and Section 10.4 of the Great Barrington Zoning Bylaw, and are intended to augment and complement said statutes and the Great Barrington Code.

B. Effective Date

These rules and regulations shall take effect upon a majority vote of the Selectmen after a public

hearing in a newspaper of general circulation in Great Barrington, said advertisement to be published not less than seven (7) days before the public hearing. They shall apply with the force of law to all special permit applications filed on or after the date of said vote.

C. Applications

1. Applications for special permits shall be filed with the Town Clerk on either Form SP-1 (short form) or SP-2 (long form) according to the primary use as determined by the Town's Inspector of Buildings. At least one complete copy, including all maps, plans and other documentation, shall be on sheets no larger than 11 inches x 14 inches.

The long form (SP-2) shall be used for any special permit application under the following subsections of Section 3.1.4 of the Great Barrington Zoning Bylaw.

- Subsection A (4) Assisted living residence
- A (8) Open space residential development
- A (9) Planned unit residential development (PURD)
- A (10) Publicly financed nonprofit age restricted housing

- Subsection B (1) Camping facilities
- B (5) Commercial amusements
- B (8) Educational use, nonexempt
- B (9) Golf or country clubs
- B (10) Hospitals, sanitariums, nursing homes, convalescent homes or philanthropic institutions
- B (13) Riding stables
- B (14) Ski tows
- B (15) Summer camps

- Subsection C (2) Fast food eating establishments
- C (3) Fuels storage and sales, excluding motor vehicle fuel stations
- C (4) Garages, public
- C (8) Hotels
- C (9) Institutional administrative offices or planned professional office developments or research centers
- C (10) Large scale commercial development
- C (11) Lumberyards
- C (12) Motels or overnight cabins
- C (13) Motor vehicle fuel stations

- Subsection E (1) Aviation fields, public or private
- E (3) Freight terminals, truck or rail
- E (6) Personal wireless tower or structure

- Subsection F (2) Gravel, loam, sand and stone removal for commercial purposes

- F (3) Light Manufacturing
- F (4) Sawmills and Manufacturing of Forest Products (Special provisions)

All other special permit applications may be filed on Form SP-1 (short form) unless the Inspector of Buildings or the Special Permit Granting Authority (SPGA) by majority vote requires the filing of Form SP-2 (long form). Applications may be submitted to the Inspector of Buildings or a representative of the SPGA for review before filing with the Town Clerk.

2. Elevation contours on plans submitted with any application filed under subsection F (2) of Section 3.1.4 shall be at intervals of no more than two (2) feet. Elevation contours on plans submitted with all other special permit applications may be at intervals of ten (10) feet, unless the SPGA shall require otherwise.

3. All plans submitted with special permit applications shall be drawn to scale and signed, sealed and dated by an engineer registered in Massachusetts. Specific scales on drawings and plans shall be as follows:

Site plan, parking plan, landscaping plan and drainage plan: one (1) inch shall equal forty (40) feet.

Separate plan showing general characteristics of land: one (1) inch shall equal a maximum of one hundred (100) feet.

Separate scaled drawing of the fully constructed building or change to the existing building shall be submitted. Any photos that are submitted shall be legible if reproduced.

4. Every application for a special permit shall be accompanied by a drainage plan demonstrating that all drainage is either accommodated on the property or directed to a drainage system approved by the SPGA. If post-development flows off the property will differ in any way from pre-development flows, the drainage system shall be designed by a civil engineer registered in Massachusetts and shall be reviewed and approved by the town's consulting engineer at the applicant's expense as provided by Section D of these Rules and Regulations.

5. Every application for a special permit shall be accompanied by a parking plan showing the specific locations of an adequate number of off street parking and loading places to comply with the provisions of Section 6.1 of the Great Barrington Zoning Bylaw and any additional requirements of the SPGA. Each parking space on the plan shall be numbered. Designated loading areas, employee parking and handicapped parking shall be labeled as such.

6. If requested by the Planning Board, an application for special permit shall be accompanied by a landscaping plan satisfactory to that Board, and the Planning Board shall certify in writing to the SPGA its approval of the plan before the SPGA acts on the application. Shall a continuance of the hearing be necessary to complete and certify such plan, it may be granted by the SPGA upon request of the Planning Board.

7. In the event of a continuance of the special permit hearing or decision beyond the statutory time limit set forth by MGL Ch. 40A, Sec. 9 is required for the purpose of completing any plan to the satisfaction of the SPGA, the Planning Board or any other Town Board or official, the applicant and the SPGA may agree in writing to such continuance.

Failure of the applicant to agree to such continuance shall be prima facie evidence that the applicant is not in compliance with all provisions and requirements of Section 10.4 the Great Barrington Zoning Bylaw and these Regulations, and shall be grounds for rejection of the special permit application.

D. Schedule of Fees

1. The minimum filing fee for a special permit shall be \$150. No special permit application shall be accepted without payment in full of the required filing fee. Notwithstanding the foregoing, the SPGA shall be empowered to waive all or part of any fee for applications submitted by municipal or charitable organizations.

2. All reasonable costs approved by the majority vote of the SPGA as necessary for the employment of experts or consultants by any board, agency or official of the Town for the purpose of analyzing or evaluating any project that is the subject of a special permit application shall be assessed to the applicant and shall constitute part of the filing fee. Such costs shall be determined to the satisfaction of the SPGA on the basis of estimates from professionals such as civil engineers, traffic engineers, hydrologists, botanists, and the like, as well as the experience of Town boards, departments, agencies and officials derived from similar projects.

Upon determination by the SPGA of the monies required for evaluation or analysis, the SPGA shall notify the applicant in writing, by first-class mail, postage prepaid, of the consultant or the consultants chosen to evaluate the project and the fees required for such evaluation. The SPGA shall notify all other parties in interest by first-class mail, postage-prepaid, of the nature of the evaluation and the choice of consultant.

All required fees shall be paid by the applicant to the Town within ten (10) business days of receipt of such notification. Payment shall be by check certified by a bank doing business in Massachusetts or issued by such a bank. For the purpose of this section, receipt of notification shall be construed to be two (2) business days after the date of written notification to the applicant, or the postmark thereon, if such postmark is a later date.

In the event additional evaluation of the project is requested by any board, agency or official of the Town after the initial deposit of funds, and if such additional evaluation is approved by a majority vote of the SPGA, the SPGA shall determine the additional monies required and shall require those amounts to be paid to the Town.

The SPGA shall notify the applicant in writing, by first-class mail, postage prepaid, of the consultant or consultants chosen and the fees required for such additional evaluation. The SPGA shall notify all other parties in interest by first-class mail, postage prepaid of the nature of the

additional evaluation and the choice of consultant.

Such additional fees shall be paid with ten (10) business days of receipt of notification by the application. Payment shall be by a check certified by a bank doing business in Massachusetts or issued by such a bank. For the purpose of this section, receipt of notification shall be construed to be two (2) business days after the date of written notification to the applicant or the postmark thereon, if such postmark is a later date.

3. All fees paid under the provisions of Section D (2) shall be deposited in a special account established by the Town Treasurer in the Town Treasury and shall be kept separate and apart from other monies. The special account, including accrued interest, if any, shall be expended at the direction of the SPGA without further appropriation; provided, however, that such funds shall be expended only in connection with carrying out the responsibilities of such SPGA under law.

Any excess amount in the account attributable to a specific project, including any accrued interest at the completion of said project shall be repaid to the applicant or to the applicant's successor in interest, and a final report of said account shall be made available to the applicant or to the applicant's successor in interest. For the purposes of this regulation, a project shall be deemed complete upon issuance of a final Certificate of Occupancy by the Inspector of Buildings, or if no Certificate of Occupancy is required, by written certification by the Inspector of Buildings that the project has been completed to his satisfaction.

The Town Accountant shall submit annually to the Selectmen a report of such special account for their review. Said report shall be published in the annual town report, and the Town Accountant shall submit a copy of same annually to the director of the bureau of accounts.

4. Failure or refusal to pay any fee assessed to the applicant by the SPGA acting under the provisions of this regulation shall be grounds for summary denial of the special permit application.

E. Administrative Appeal

In the event any party in interest in a special permit proceeding is dissatisfied with any consultant selected by any board, agency or official of the Town to analyze or evaluate any project that is the subject of said permit application, that person may file with the Selectmen a written appeal of the selection.

Any such appeal shall be accompanied by a filing fee of fifty dollars (\$50) and shall be filed within ten (10) business days of the appellant's receipt of notification of the selection of the consultant. For the purpose of this section, receipt of notification shall be construed to be two (2) business days after the date of written notification or the postmark thereon if said postmark is a later date.

Any appeal filed under this section shall be administrative in nature and shall be limited in its

grounds to claims that the consultant selected has a conflict of interest or does not possess minimum qualifications consisting of an educational degree in or related to the field at issue, or three or more years of practice in the field at issue or a related field.

The required time limits for action by the SPGA on the special permit application that is the subject of any such appeal shall be extended by the duration of the administrative appeal. In the event that no decision is made by the Selectmen within the one month following the filing of the appeal, the selection of the consultant shall stand.

Such an administrative appeal shall not preclude further judicial review, if otherwise permitted by law, on the grounds provided for in this section.

F. Severability

The invalidity of any section or provision of these rules and regulations shall not invalidate any other section or provision thereof, nor shall it invalidate any special permit previously issued, not proceeding previously conducted thereunder.

G. Filing of Record of Proceedings and Order of Conditions

The Town Manager shall cause to be filed the Order of Conditions and the Record of Proceedings on any Special Permit with the Town Clerk within 30 days following the Board of Selectmen's vote approving or denying the Special Permit, but in no case later than 90 days following the close of the public hearing.

VI. Approval of Licenses

1. The applicant is strongly urged to appear at the Board of Selectmen's meeting when the license will be discussed. If no representative is present, the Board reserves its right to postpone the issue to the next business meeting of the Board or disapprove the application.
2. If a license application is filed between Selectmen's meetings, and the license, if not obtained before the next Selectmen's meeting, would cause the applicant irreparable harm, the Chair will have authority to call a special meeting of the Board of Selectmen. As stated above in the Meeting Procedures section, a quorum will consist of at least three members.

VII. Board and Committee Speak Procedures

1. All boards and committees have the right to request agenda time to address the Board of Selectmen on matters related to the board or committee. Prior to the meeting, the chair of the board or committee shall provide background material on the matter(s) to be discussed along with the results of any board or committee voting on the matter(s) being presented. All members of the board or committee shall be informed by its chair of said board or committee of the matter(s) that will be presented to the Board of Selectmen and shall be the responsibility of the chair. When a board or committee addresses the Board of Selectman, the chair of said board or

committee should be in attendance. If the chair cannot attend, the chair shall include with the background material a statement as to who will be speaking on behalf of the board or committee.



VIII. Citizen Speak Procedures

1. All citizens shall have the right to speak for a period not to exceed five (5) minutes after being recognized by the Chair unless a longer period of time is granted by the Chair.
2. Citizens who choose to speak during Citizen Speak time shall have the opportunity to address the Board of Selectmen once during each meeting.
3. The speaker shall not engage in personal attacks against citizens or public officials and shall remain courteous and respectful at all times.
4. Citizens shall speak for themselves and not speak on behalf of others who are not present unless specific permission is granted by the Chair. Generalized accusations and innuendoes will not be permitted.
5. The Chair may rule the citizen out of order and the citizen will lose the right to speak, if the speaker fails to remain courteous and respectful.

IX. Selectboard Response on Received Communication

The Selectboard welcomes communication through whatever vehicle is chosen by its constituents, i.e. email, written letters, phone calls, personal contact. It is the intent to handle inquiries on a timely basis (within 48 hours). Communication sent to the Town Hall shall be considered public documents. When communication is addressed to the ENTIRE Selectboard, the Clerk of the Selectboard within 2 business days contact the individual, and the Chair and Town Manager shall review the matter as follows:

- (1) If the matter can be routinely handled by staff, the Town Manager shall so inform the individual and Selectboard.
- (2) Should the matter be a non-routine administrative matter, the Chair shall arrange that the matter be presented at the earliest convenient time as a regular agenda item of the Selectboard. The Chair shall notify the individual when the item will be on the Selectboard agenda. The Selectboard shall discuss the matter publicly and may refer the matter to the Town Manager and/or an appropriate board/commission/committee for further investigation. Should the matter be acted upon by the Selectboard, the Town Manager shall so inform the individual. Should the matter be referred, a report from the referral entity shall be submitted at a regular meeting of the Selectboard as soon as possible.

This procedure is not intended in anyway to inhibit an individual Selectboard member from discussing any matter with his/her constituents. Individual members of the Selectboard may establish independent mechanisms for responding to inquiries including, but not limited to,

forwarding the matter to the Town Manager for investigation and may forward to the Selectboard Chair also. However, those actions are the sole responsibility of the individual Selectboard member and should not be construed to be the official policy of the Selectboard or Town of Great Barrington.

X. Executive Sessions

There will be no outside discussion of the content of matters addressed in Executive Session, unless and until the Board of Selectmen determines it appropriate to discuss an item in a public session. All Executive Sessions shall conform to the requirements of the open meeting law.

XI. Personnel Information

Information provided to the Board on confidential personnel matters will not be shared with the public.

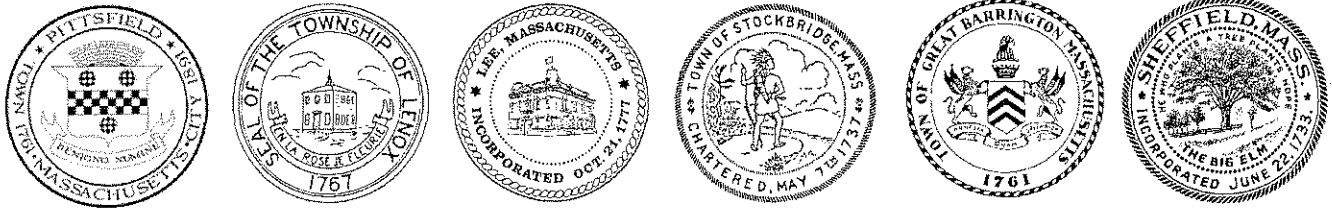
XII. Protocol for Implementing Zoning Bylaw for Housatonic Mills Revitalization Overlay District (HMROD)

When the HMROD is utilized, the following set of procedures shall be adhered to for implementation of any of the components of section 9.8. This is to ensure a smooth open process enabling all boards/commissions either elected or appointed and the public to have the proper ability to participate.

- When an individual/developer wishes to invoke the HMROD process, the initial step shall involve a meeting of the Development Review Team (DRT), which will examine the scope of the proposal. Within 30 days after the initial submittal to the DRT, a joint meeting of the Selectboard and Planning Board shall be scheduled where the two boards will review the DRT initial report and hear a presentation from the developer. All other boards/commissions of the Town of Great Barrington shall be notified of the joint meeting. Should both the Selectboard and Planning Board find merit in the concept proposal submitted, additional review meetings shall commence with the DRT, Planning Board and the developer to enable the developer to formally submit a special permit application. Upon receipt of the formal special permit application, the required public hearing shall be held within 65 days from date of submittal.
- The developer shall identify at the earliest possible stage any potential infrastructure inclusive, but not limited to, roadway or utility modifications desired, tax increment financing, property acquisition, and/or long term maintenance obligations to be borne by the Town of Great Barrington. These related matters will require concurrence of the Selectboard at the earliest opportunity and prior to the granting of any special permit by the Planning Board. A timeframe for development improvements inclusive of any improvements required by the Town of Great Barrington shall be subject to approval of the Selectboard and incorporated as necessary in the order of conditions in the issuance of a special permit.

- Minutes and agendas from all meetings involving potential developers utilizing the HMROD shall be distributed to the Selectboard and/or Planning Board.
- In the Planning Board deliberations with developers utilizing the HMROD, the Planning Board shall take into account the fiscal impact for the Town of Great Barrington inclusive of tax base revenues, infrastructure capability recognizing that various financial arrangements shall require Selectboard approval.
- This protocol for HMROD shall remain in full force and effect until modified by majority vote of both the Planning Board and Selectboard. This protocol shall be incorporated into the rules and regulations of the Planning Board, rules and regulations of the Selectboard and the permitting and development guidebook.

Revised 9/5/95
Revised 8/25/05
Revised 2/12/07
Revised 7/23/07
Revised 1/24/11
Revised 4/25/11
Revised 9/12/11
Revised 10/11/11
Revised 3/26/12



**HOUSATONIC REST OF RIVER MUNICIPAL GROUP
Background and Socio-Economic Damages Issue**

Officials in Lenox and Lee first became very concerned about the potential economic impacts of the proposed clean-up of the Housatonic River of the PCBs from the Pittsfield GE plant In mid-2010. In February 2011, at the request of Lee, Lenox, Great Barrington and Stockbridge, BRPC began meetings with a working group of two representatives each from those towns; subsequently Sheffield and Pittsfield also joined and all six municipalities have participated consistently through a number of meetings. BRPC acts to coordinate the meetings; all decisions have been made by the six municipalities' representatives.

Representation has varied for the municipalities. For the towns, in all cases the Town Manager/ Administrator is a member (in Lenox and Great Barrington, they decided they would be there; in Lee, Sheffield, and Stockbridge, the select board decided that). In Great Barrington, the Town Manager determined that one of his staff (Jennifer Bailly) was the second representative. In Stockbridge, the Select Board appointed the Police Chief. For Lenox, the Town Manager asked one of the Select Board members to also participate. In Lee and Sheffield, the Select Board appointed one of their members. For Pittsfield, being a city, the Mayor is the representative and the second member is from the Community Development Department staff. All twelve people have been engaged but generally one person from each community (exactly who that is varies greatly) has consistently been the most engaged.

The six Rest of River Working Group (the Group) met with EPA officials who agreed to use one of their stable of consultants to prepare a Socio-Economic Impact Study of the range of clean-up options that were under consideration. EPA did not feel it was appropriate to assess the past costs of the environmental damages done by the contamination since it was first determined to be a problem in the early 1970's. Skeo Solutions prepared a report, working with the working group, which assessed the economic impacts, which was released in September 2012. That report, which the working group feels significantly understates the impacts, indicated an economic impact cost of around \$300 million for the mid-range clean-up option.

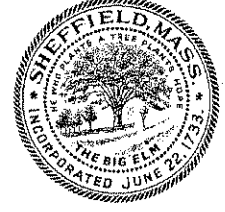
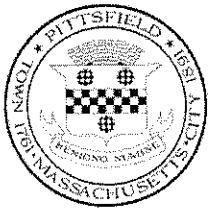
The Group feels that the more probable economic costs are around \$500 million over 15 +/- years. The primary impacts are:

- Damage to public infrastructure during clean-up (active clean-up will almost certainly occur in every community from Pittsfield to Great Barrington (as far south as Rising Pond Dam))
- Tourism – region-wide impact
- Loss of access to river and recreation while clean-up is occurring – all major impoundments but primarily concentrated in Pittsfield to Lenoxdale stretch

- Complete loss of value or marketability for private properties impacted by contamination and by clean-up activities (multiple properties between Pittsfield and Stockbridge are already known to have been contaminated)
- Loss of property value – for contaminated properties, properties directly or impacted by clean-up activities, and for properties impacted by truck traffic generated by clean-up and hauling of wastes (Pittsfield to Great Barrington)
- If a hazardous waste landfill is located in the county (GE has either purchased or has options on three properties to-date for this purpose: Lane Construction site in Lee, another site in east Lee, and the Rising Pond property in Great Barrington and GE continues to indicate this is a primary interest of theirs) the economic impacts are substantially greater. The estimated added cost to GE of sending the contaminated material to a licensed out-of-state landfill is about \$200 million.

A sample of possible forms of compensation to be negotiated:

- Tourism marketing
- Bike paths
- Access to river
- Redevelopment/reuse of mill buildings
- Funding of economic specialist position
- STEM training and facilities/vo-tech facilities
- Rail refurbishment
- Compensation for loss of property taxes
- Compensation to property owners for inconvenience and for loss of value



HOUSATONIC REST OF RIVER MUNICIPAL GROUP Summary of Retaining the Services of a Legal Negotiating Team

The six Rest of River Group (the Group) are each contributing to a central pool of funds to hire the services of a legal team to represent them in seeking community compensation from GE. The Group conducted research and solicited proposals from five legal firms. Four of the firms submitted proposals, while the fifth firm declined our offer due to potential conflicts that they believed could prohibit them from ethically representing the communities. The four proposals received are summarized below (listed in alphabetical order):

- **BCK Law, P.C.** Jeffrey Bernstein is President of the firm and served as Special Counsel to the City of Pittsfield during the development of the Consent Decree of 1999 and later served as General Counsel during the establishment of the Pittsfield Economic Development Authority.
- **Kopelman and Paige, P.C.** This firm has extensive municipal law expertise and represents several Berkshire communities in legal matters.
- **Miyares and Harrington, LLP.** This firm has extensive municipal law expertise and serves as town counsel to Stockbridge.
- **Pawa Law Group.** Matthew Pawa is the founder. This firm specializes in environmental law suits. It most recently represented the State of New Hampshire against 20 petroleum companies to seek the full cost of cleaning up groundwater contamination from the gas additive MBTE. Most defendants settled before trial, and the firm prevailed in court against ExxonMobil, the only company to go to full trial.

The Group met on April 25th to discuss the proposals and to choose the most promising two firms for interviews, choosing to meet with BCK Law and Pawa Law Group. On May 1st the Group interviewed both firms and subsequently agreed to hire Pawa Law Group to represent them. Mr. Pawa's straightforward and forceful recommendation of action, together with the firm's recent success in litigating environmental settlements with a host of multi-national petroleum companies, weighed heavily in the Group's decision.

The Berkshire Regional Planning Commission is serving as the Group's fiduciary agent. There will be an Inter-Governmental Agreement (IGA) entered into by the six municipalities and BRPC which has been drafted and is under review by the Group, prior to being sent to city/town counsels for review. That agreement will lay out the decision making process, both over negotiating positions and for future costs. We expect that all six municipalities and BRPC will approve the final IGA by mid-September. BRPC has a draft agreement from Mr. Pawa but will

not execute that until after the IGA is approved. Once Mr. Pawa is engaged, his firm will contact the legal representatives for GE.

Municipal Cost-Sharing

1. Fairly significant financial resources will be needed at point agreements are finalized. At the end of April, all six municipalities representatives agreed to put \$10,000 each into an initial fund. It was felt that some significant resources were needed to have the right level of advocacy. At that time, Great Barrington and Pittsfield representatives indicated they would take from legal expense line-items; Lee, Lenox, Sheffield and Stockbridge quickly put into their FY 2014 budgets – unanimous approvals by Finance Committees and Select Boards and we believe at Annual Town Meetings.
2. We do not know yet what the future requirements will be for additional funds or how those costs will be assessed. The draft IGA sets up a process to deal with that when the time comes. Lenox actually appropriated some additional funds in its FY 2014 budget.
3. The draft IGA states that if any direct economic compensation is received from GE, the first allocations will be to repay the municipalities for their investments in the negotiation.

THIRTEENTH AMENDMENT TO PURCHASE AND SALE AGREEMENT
BETWEEN 20 CASTLE STREET, LLC, as Buyer
And
THE TOWN OF GREAT BARRINGTON, as Seller

20 Castle Street, LLC and the Town of Great Barrington, the parties to that certain Purchase and Sale Agreement for Massachusetts Real Estate dated February 13, 2012, and covering the premises known as 20 Castle Street, Great Barrington (the "Agreement"), hereby agree that the Agreement shall be amended as follows:

1.7 Closing: The date is revised as follows: within 577 days of execution of Purchase & Sale Agreement, i.e., by September 13, 2013.

1.15 Buyer's Inspection Contingency Date: The period for inspection to occur is extended as follows: by within 570 days of execution of Purchase & Sale Agreement, i.e., by September 6, 2013.

Rider B: The phrase "60 day inspection contingency period," previously amended to "540 day inspection contingency period," is replaced by "570 day inspection contingency period."

Rider C: The phrase "60 day inspection contingency period" on page 14, in the second full paragraph, previously amended to "540 day inspection contingency period," is replaced by "570 day inspection contingency period."

The Parties agree that either may terminate the Agreement with 7 days written notice to the other party.

Dated: August ____, 2013

20 CASTLE STREET, LLC
By

TOWN OF GREAT BARRINGTON
By its Board of Selectmen

Title:

Buyer

Seller

Roles, Responsibilities, and Time Commitments

Chart 1 below outlines the roles of the different parties under Solarize Massachusetts.

	MassCEC	Community Solar Coach	Municipal Representative	Installer
Procurement	<ul style="list-style-type: none"> * Procure Communities * Release RFP to select Installers and determine if Installer proposals meet threshold requirements * Assist communities to select Installer 	<ul style="list-style-type: none"> * Evaluate Installer proposals & assist in selection 	<ul style="list-style-type: none"> * Evaluate Installer proposals & lead in the selection process 	<ul style="list-style-type: none"> * Submit competitive proposal(s)
Reduce Cost to Customer	<ul style="list-style-type: none"> * Provide rebates 	<ul style="list-style-type: none"> * Increase awareness of solar PV and manage volunteer efforts to enhance the group purchasing model 	<ul style="list-style-type: none"> * Leverage other funds (if applicable). * Assist in streamlining the permitting process (if possible). 	<ul style="list-style-type: none"> * Provide competitive tiered pricing for customers purchasing solar PV systems, and other financial incentives for PPA and Lease customers
Marketing	<ul style="list-style-type: none"> * Provide Marketing & Education Toolkit to community. (Will include lawn signs, banners, educational materials, etc. and tools for Community Solar Coach) * Attend some community events 	<ul style="list-style-type: none"> * Reach out to local community organizations, potential partners, and volunteers. * Organize and mobilize community network over the course of program. 	<ul style="list-style-type: none"> * Demonstrate municipal support for program * Leverage additional funds (if applicable) 	<ul style="list-style-type: none"> * Partner with Community Solar Coach to finalize combined outreach plan and disseminate information on program (as appropriate).
Education	<ul style="list-style-type: none"> * Educate Community Solar Coach on solar basics * Facilitate a Solar 101 and 201 community presentation. 	<ul style="list-style-type: none"> * After Solar 101, serve as point person for questions on program mechanics and basic solar information 	<ul style="list-style-type: none"> * Provide link to Solarize Mass community website on Municipal webpage (if possible) 	<ul style="list-style-type: none"> * Serve as the technical expert on solar.
Communication	<ul style="list-style-type: none"> * Will provide a Solarize Mass website * Will provide press releases and media outreach as appropriate * Will develop a Communications Guide with standard "talking points" for selected communities and Installers to use when explaining the program. 	<ul style="list-style-type: none"> * May develop communication tools unique to community (i.e. Facebook page, Google group, etc.) 	<ul style="list-style-type: none"> * Can utilize town-wide resources (i.e. email listings or website) if appropriate 	<ul style="list-style-type: none"> * May work with Community Solar Coach to develop tools (as appropriate). * Will develop a portal to facilitate customer sign-up
Solar Installations			<ul style="list-style-type: none"> * Outline permitting process for solar PV projects in community 	<ul style="list-style-type: none"> * Provide site assessments, system design, & a turnkey installation to customers

Chart 1: Outline of the anticipated roles of the different program participants.

**NOTE: MassCEC, Community, & Installer will participate in a bi-weekly check-in call. In addition, all parties will agree to share all communication email lists.

The primary role of the solar coach is to manage the outreach and education efforts of community volunteers, and to answer basic questions about solar PV, including incentives. Please review *Community Solar Coach Program Duties and Commitments Form* (Attachment D) for further details about Community Solar Coach requirements. The Community Solar Coach for selected Communities will be required to sign this document in order to participate. Please note that an individual who works for a solar PV installer may be part of a community volunteer team, but will not be allowed to take on the role of Community Solar Coach.

During the 2011 Pilot and 2012 Solarize Mass programs, participating communities reported that total volunteer time within a community averaged between 400 to 600 hours during the course of the program. Whether the volunteer hours were broken up among a large group of volunteers or a small volunteer team, communities should be aware of this time commitment when applying to participate as part of the Solarize Mass program.