

Jennifer Tabakin
Town Manager

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Town Hall, 334 Main Street
Great Barrington, MA 01230

Telephone: (413) 528-1619 x2
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TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

SELECTBOARD'S MEETING

TUESDAY, OCTOBER 14, 2014

7:00 PM – REGULAR SESSION

TOWN HALL, 334 MAIN STREET

ORDER OF AGENDA

7:00 PM - OPEN MEETING

1. CALL TO ORDER.

2. APPROVAL OF MINUTES:

September 22, 2014 Selectboard and Finance Committee Joint Meeting.

3. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS:

A. GENERAL COMMENTS BY THE BOARD.

4. LICENSES OR PERMITS:

A. LIISA KELLY, JUSTICE RESOURCE INSTITUTE BERKSHIRE MEADOWS FOR A DRIVEWAY PERMIT AT CHRISTIAN HILL RD. (300 FT. SOUTH OF BURNING TREE RD.). (DISCUSSION/VOTE)

B. SB - TO ACCEPT EARLY (10:00A.M.) SUNDAY OPENING TIME FOR PACKAGE STORES TO SELL ALCOHOLIC BEVERAGES AS PERMITTED BY MGL. CH. 138, SEC. 15. (DISCUSSION/VOTE)

C. JENISE LUCEY/BERKSHIRE SOUTH REGIONAL COMMUNITY CENTER FOR ONE DAY ALL ALCOHOLIC LIQUOR LICENSE FOR OCTOBER 18, 2014 FROM 6:00 PM – 9:00 PM AT 15 CRISSEY ROAD. (DISCUSSION/VOTE)

5. TOWN MANAGER'S REPORT:

A. UPDATE ON POLICE UNION CONTRACT.

B. UPDATE ON SEARLES/BRYANT PROPERTY.

C. UPDATE ON BUILDING USE POLICY.

6. OLD BUSINESS:

- A. TRANSFER STATION UPDATE.
- B. REST OF RIVER COMMENTS TO EPA. (DISCUSSION/VOTE)
- C. LAKE MANSFIELD ROAD – UPDATE/DEB PHILLIPS.

7. NEW BUSINESS:

- A. SB – APPOINTMENT TO THE DESIGN ADVISORY COMMITTEE. (DISCUSSION/VOTE)
- B. PETER DILLON/BHRSD SUPERINTENDENT.
- C. SB - TO PLACE PROPOSITION 2 ½ EXEMPTION QUESTION ON NOVEMBER 4, 2014 BHRSD BALLOT. (DISCUSSION/VOTE)
- D. STEP 3 GRIEVANCE FILED BY LIBRARIES/AFSCME LOCAL 204 RE: UNAPPROVED TIME OFF.

8. CITIZEN SPEAK TIME:

9. SELECTBOARD'S TIME:

10. MEDIA TIME:

11. CONVENE INTO EXECUTIVE SESSION CHAPTER 35 SECTION 23 B (3) PERTAINING TO STEP 3 GRIEVANCE FILED BY LIBRARIES/AFSCME LOCAL #204.

12. ADJOURNMENT:

NEXT SELECTBOARD'S REGULAR MEETING: MONDAY, OCTOBER 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.

Pete Soules
Highway-Facilities Superintendent

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



20 East Street
Great Barrington, MA 01230

Telephone: (413) 528-2500
Fax: (413) 528-2290

TOWN OF GREAT BARRINGTON MASSACHUSETTS

Department of Public Works
Highway Division

Conditions on Application for Access to Public Way

Applicant: Liisa Kelly, Justice Resources Institute Berkshire Meadows
Location: Christian Hill Rd (300 ft South of Burning Tree Road)
From: Pete Soules Highway Superintendent
Date: October 7, 2014

1. The applicant shall construct the proposed access to conform to the following applicable criteria listed under **Section 153-14, Design requirements** of the Town of Great Barrington Code:
 - B. Driveway location as shown on the attached plan is acceptable, with regards to alignments with the way, profile, sight distance conditions and not located at the extreme edge of the property.
 - C. No more than two (2) driveways shall normally be allowed for any property, unless there is a clear necessity for more.
 - D. Driveways shall not normally be approved at intersections, because of potential safety hazards.
 - E. Culverts taking the place of roadside ditches shall have a diameter of not less than 15" (*A culvert is not required at this location*)
 - F. Entrance elevation at the point of entry into the public right-of-way shall be no more than the elevation of the shoulder of the road.
 - G. Driveways should be so constructed that water from the driveway shall not drain onto the crown of the road.
 - H. In no instance shall the edge of the driveway entering onto the road conflict with the flow of surface water runoff.

- I. Driveway width shall not be less than 8-feet or more than 16-feet within the town right-of-way. Any curb at the entrance shall be rounded off with a radius of three (3) feet.
 - J. Pitch of driveway shall be downward from the edge of the road to sideline of the town right-of-way or front property line.
 - K. Driveways should be located to the best advantage with respect to the alignment with the way, profile and sight distance conditions. In no instance shall a driveway intersect the way at less than a sixty degree angle. Unless there is no alternative, a driveway should not be located within a required side yard.
 - L. No permit shall be issued for any driveway to a structure or proposed structure on a grade in excess of ten percent (10%) above the road or street level until and unless the applicant submits plans to the Highway Superintendent showing that the driveway will be constructed in a such a way so as not to discharge water, stones or other materials onto any public street, road or highway.
2. Install a paved driveway apron in accordance with the following requirements:
 - A. Apron dimensions: Width = 22-feet maximum along the roadway which includes a 3-foot radius curb on each side. Length = 5-feet minimum from edge of roadway.
 - B. Place 3-inches of bituminous concrete on 12-inches of compacted gravel.
 - C. Place asphalt tack coat along the edge of the road where the apron meets the edge of the existing pavement.

The applicant agrees to notify the Highway Superintendent (528-2500) at least 48 hours prior to the installation of the paved apron.

3. Should there be, after completion of the driveway, discharges of water, stones, or silt onto the public way or onto property of any abutters or neighbors, the property owner shall take whatever steps are necessary to eliminate such discharges.
4. The applicant shall maintain the proposed access to conform to the following applicable condition listed under **Section 153-17, Continuing responsibility of owners**, of the Town of Great Barrington Code:

Abutting property owners shall be responsible for keeping culverts under their driveways cleared and for maintaining driveways in condition conforming to the requirements of the permit.

Board of Selectmen

Fee \$50.00

Application for Access to a Public Way / Driveway Permit

Number _____

INSTRUCTIONS

RETURN FIVE (5) COPIES OF THIS FORM AND ALL ACCOMPANYING PLANS, ALONG WITH THE \$50.00 FEE to the Department of Public Works office in Town Hall, 2nd Floor, 334 Main Street, Great Barrington, MA 01230. Plans must show the location of the driveway on the property and must also indicate all details needed in order to determine that driveway regulations are met, including paving material, width, grade, drainage, culverts, angle to street, etc. See Chapter 153 of the Town Code for driveway regulations.

Application Date 09-30-14

Name of Applicant / Property Owner LIISA KELLY, JUSTICE RESOURCE INSTITUTE BERKSHIRE MEADOWS

Mailing address 249 NORTH PLAIN RD, HOUSATONIC, GREAT BARRINGTON, MA 01236

Phone number 413-528-2523

Location of proposed driveway / highway entrance CHRISTIAN HILL RD (300 FT SOUTH OF BURNING TREE RD)

Contractor who will perform the work DAVID DUQUETTE

Address & phone number of contractor 190 MICHAELS RD HINSDALE MA 02135; 413-655-8779

Proposed construction date CONSTRUCTION ACCESS 11-01-14; FINAL DRIVEWAY 05-01-15

Type of driveway (gravel, asphalt, etc.) ASPHALT

Print Form

Submit five (5) copies of completed form and plans.

Applicant hereby agrees to notify the Great Barrington DPW Superintendent of the date and time of driveway construction at least 24 hours before construction is begun. Applicant further agrees to conform to all requirements of the Town of Great Barrington regulations governing access to public ways and to all conditions that may be placed on this permit. See Chapter 153 of the Town Code for regulations and design requirements.

Applicant's Signature: Lisa Kelly

FOR STAFF USE ONLY

RECOMMENDATION OF DPW / HIGHWAY SUPERINTENDENT

After consultation with review staff, and after full onsideration of the application and the applicable requirements, I recommend that this application be: () approved as submitted (x) approved with conditions attached () disapproved for reasons attached () resubmitted with changes suggested per attached

Staff Reviews Received:

Table with 4 columns: Received, Conditions Recommended, Other Permits Required. Rows: Conservation, Fire Chief, Planning.

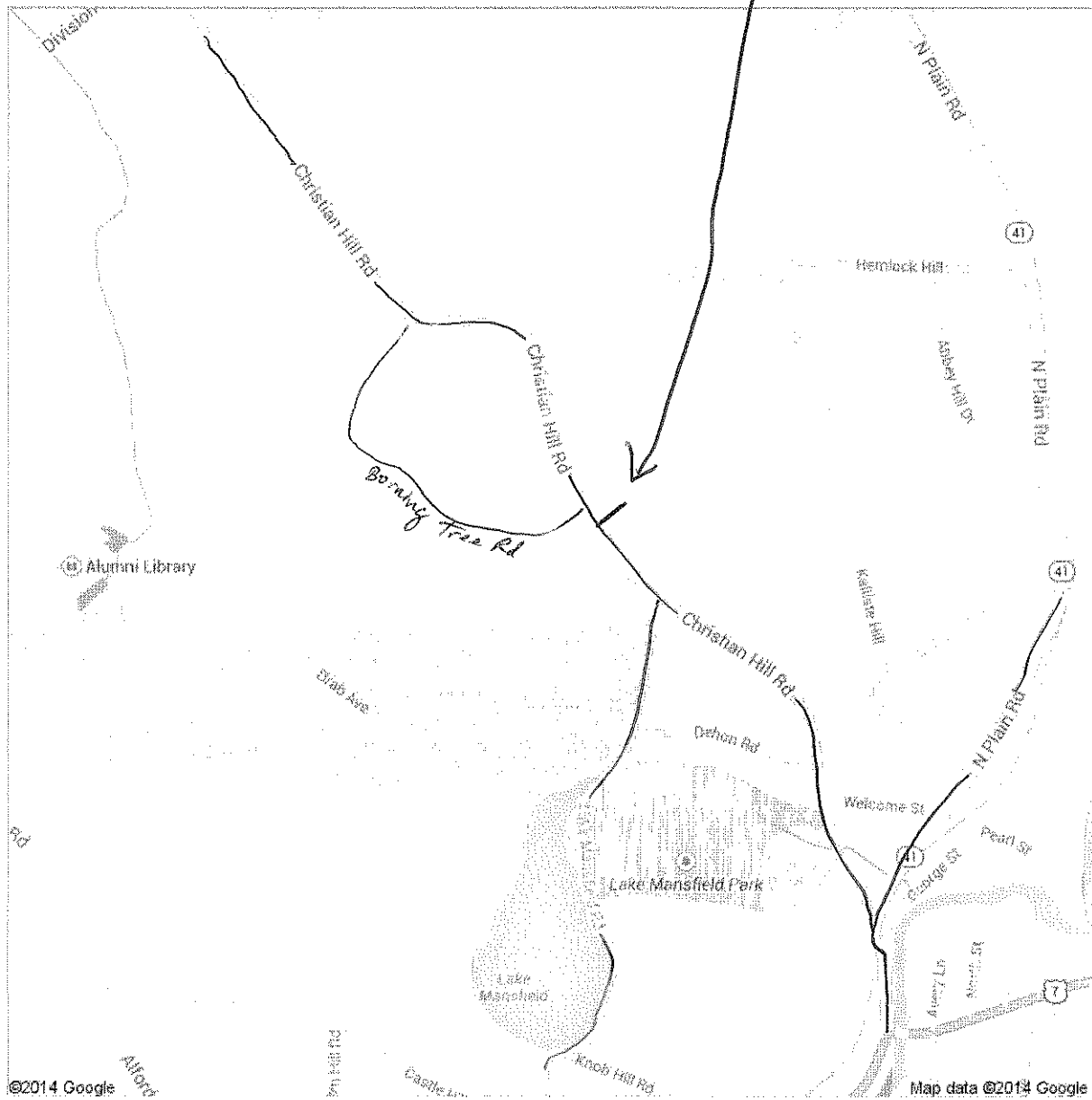
PERMIT FOR ACCESS TO A PUBLIC WAY / DRIVEWAY

Pursuant to its vote of _____ in favor and _____ opposed, at its meeting on _____, the Great Barrington Board of Selectmen granted permission to construct or alter this access to a public way at the address and in the location indicated in this application, in accordance with the plans accompanying this application, and subject to any conditions attached.

For the Selectmen: _____, its _____, _____

Google

proposed driveway 130 feet south of Burning Tree Road

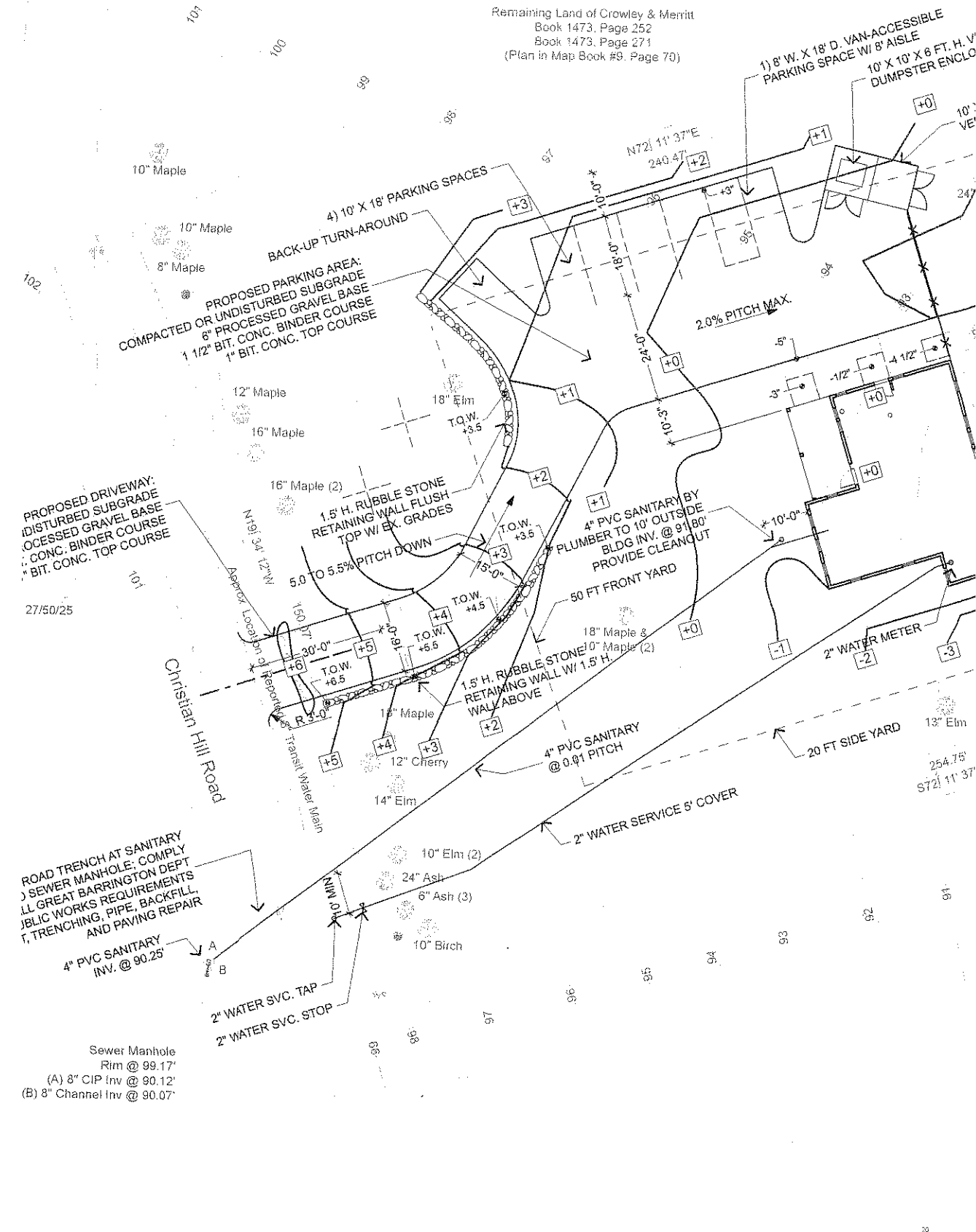




Christian Hill Rd
Looking North



Christian Hill Rd
Looking South



ROAD TRENCH AT SANITARY
 SEWER MANHOLE; COMPLY
 ALL GREAT BARRINGTON DEPT
 PUBLIC WORKS REQUIREMENTS
 INCLUDING TRENCHING, PIPE, BACKFILL,
 AND PAVING REPAIR

4" PVC SANITARY
 INV. @ 90.25'

2" WATER SVC. TAP

2" WATER SVC. STOP

Sewer Manhole
 Rim @ 99.17'
 (A) 8" CIP Inv @ 90.12'
 (B) 8" Channel Inv @ 90.07'

Hydrant	W/TBM
Boit	
Elev. =	100.70'

Helen Kuziemko

From: Chris Rembold
Sent: Wednesday, October 08, 2014 3:11 PM
To: Pete Soules; Helen Kuziemko
Subject: RE: Driveway

I see no issues with the proposed driveway for Justice Resource Institute / Liisa Kelly.

Thank you,
Chris

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

Joan Johnsen

From: Charles Burger
Sent: Friday, October 03, 2014 1:50 PM
To: Joan Johnsen; Joseph Sokul

Joni/Joe,

There are no FD issues with the driveway permit for Berkshire Meadows on Christian Hill Road.

Charles Burger
Chief, Great Barrington Fire Department
37 State Rd
Great Barrington, MA 01230
Phone: 413-528-0788
Fax: 413-528-8315

Shepley Evans
Conservation Agent

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



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TOWN OF GREAT BARRINGTON
MASSACHUSETTS

CONSERVATION COMMISSION

October 7, 2014

To: Joan Johnsen, Admin. Assistant

Fm: Shep Evans, Conservation Agent

Re: Driveway Permit Application for Liisa Kelly of Justice Resource Institute, Berkshire Meadows
Location: Christian Hill Road (300 ft. south of Burning Tree Road)

I have reviewed the plan submitted with the subject Driveway Permit Application and have determined that there are no Wetlands Protection Act issues with this project. The project as presented is outside Conservation Commission jurisdiction.

Thank you for the opportunity to comment.

EXECUTIVE SUMMARY

TITLE: Early Sunday Hours for Package Stores

BACKGROUND: Effective October 23, 2014, the Massachusetts Legislature amended MGL c.138, sec. 15 for the "package store" license holders to start to sell alcoholic beverages as early as 10:00 A.M. on Sundays instead of previous start time of Noon. Although under the law, these licensees are entitled as a matter of right to open at 10:00 A.M. and as such do not need the approval of the Local Licensing Authority (the Selectboard), licensees must notify the Local Licensing Authorities (the Selectboard) about the change of hours.

On September 14, 2014, notice regarding the change of hours was sent to all the Package Stores licensees in Town. The following licensees have requested early Sunday hours: Aberdale's Inc.; Cellarbration, Inc.; Guido's Quality Fruit and Produce, Inc.; Carjac, Inc.; Domaney's Liquors & Fine Foods, Inc. and Leo Locke Larkin.

FISCAL IMPACT: Not applicable.

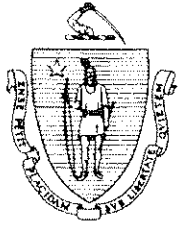
RECOMMENDATION: The Selectboard accept the Early Sunday Opening Hours for the above listed package store licensees.

PREPARED AND REVIEWED BY:



Jennifer Tabakin, Town Manager

DATE: 10/8/2014



*The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114*

Steven Grossman
Treasurer and Receiver General

Kim S. Gainsboro
Chairman

THE ALCOHOLIC BEVERAGES CONTROL COMMISSION (“ABCC”) ADVISORY
M.G.L. c. 138, §15 OFF-PREMISES RETAIL LICENSEES SUNDAY OPENING TIME
ALLOWED AT 10:00 A.M.

Effective October 23, 2014¹, off-premises retail alcoholic beverages licensees (M.G.L. c. 138, §15) will be permitted to sell alcoholic beverages beginning at 10:00 a.m. on Sundays. Although under the law, these licensees are entitled as a matter of right to open at 10:00 a.m. and as such do not need the approval of the Local Licensing Authorities, licensees must notify the Local Licensing Authorities about the change of hours.

The simplest way for licensees to effectuate this change is to follow the process outlined in the CHANGE OF HOURS Application which may be found on our website at <http://www.mass.gov/abcc/pdf/forms/nofeetransmittal.pdf>. Licensees should use this form to notify the Local Licensing Authority of the change in hours and attach a corporate vote authorizing the change. Upon receipt of this request, the Local Licensing Authority must approve it. The Local Licensing Authority should forward an approved “Form 43” with the additional Sunday hours of sale to the ABCC for each licensee affected.

As mentioned above, this law does not go into effect until October 23, 2014. All licensees should ensure that sales of alcoholic beverages take place only on the days and hours approved by the Local Licensing Authority. Licensees who fail to notify the Local Licensing Authority about the change to their hours are prohibited from making sales at an earlier time than those permitted on the face of their license.

As always, all licensees must ensure that they are in compliance with the Laws of the Commonwealth of Massachusetts, and that sales of alcoholic beverages take place only as authorized by applicable law. Individuals with questions concerning this advisory may contact Ralph Sacramone, Executive Director, at 617-727-3040 x 731.

(Issued: September 8, 2014)

¹ The Massachusetts Legislature amended M.G.L. c 136, §6(52) which allow off-premises M.G.L. c. 138, §15 or so called “package store” license holders to sell alcoholic beverages, beginning at 10 A.M. on Sundays.

Fee: \$25.00 (per day)



APPLICATION FOR ONE DAY LIQUOR LICENSE

TO THE LICENSING AUTHORITY:

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

Applicant's Name: Jenise Lucey
Organization Name: Berkshire South Regional Community Center
Applicant's Address: 15 Crissey Road, Great Barrington, MA 01230
Telephone Number: 413-528-2810

Type of License: ONE DAY BEER & WINE **ONE DAY ALL ALCOHOLIC**
(Circle one)

Event: Annual Gala
Date: 10/18/14 Start Time: 10pm End Time: 9pm
Event Address: same

Is the Event on Town property? YES **NO**

PLEASE ATTACH THE FOLLOWING TO YOUR APPLICATION:
1. TIPS or ServSafe Alcohol certification for anyone serving alcohol.
2. Certificate of Insurance showing proof of Liquor Liability coverage.
(If the event is on Town property, the certificate must name the Town of Great Barrington as additional insured.)
3. If the event is not on applicant's property, a letter of permission from the owner is required.

Liability: The below individual agrees to take responsibility for the above-noted event and further agrees to indemnify, save harmless, and defend the Town of Great Barrington, its officers, employees and agents, from and against any and all liabilities, claims, penalties, forfeitures, suits, and the costs and expenses incident thereto, which may occur in connection with this event.

Jenise Lucey 10/3/14
Signature of Applicant Date

FOR TOWN USE:
Approved _____ Denied _____ Postponed _____



TOWN OF GREAT BARRINGTON MASSACHUSETTS

DEPARTMENT OF PUBLIC WORKS

EXECUTIVE SUMMARY

TITLE: Transfer Station Operations – FY 2014 Year End Data

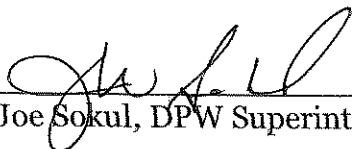
BACKGROUND: At a Selectboard meeting in June of 2014 the Selectboard asked the DPW Superintendent to follow up with FY 2014 year end data on the operations of the Transfer Station / Recycling Center. Also at this meeting the Selectboard voted for a policy which allows for recycling at the Transfer Station without purchase of the \$30.00 Resident Sticker.

Attached as part of this summary is the Year End Data, summary of use over the fiscal year and current fees for the Transfer Station. Total revenues from sticker sales exceeded the initial projections of additional income when the sale of stickers was instituted. In FY 2014 our income sticker sales alone was \$15,220. It should be noted that our receipts from the Massachusetts Recycling Facility (MRF) have continued to drop as the market is flooded with recyclable materials. We continue to recycle over 100 tons of materials each year. Our average per ton revenue for FY 2014 was \$19.80 per ton.


Use of the facility has remained the same since we went to a three day per week operations. As noted on the attached sheets we averaged 193 customers per weekend for the fiscal year. Prior to going to a three day operations the average was between 150 to 160 customers on a Saturday. We continue to hold two Bulky Waste Collection days per year with the next one scheduled for Saturday October 18, 2014.

The current fee schedule has been in effect since we went to the three days per week operations. We do not see the need to adjust fees at this time.

RECOMMENDATION: That there is no action required by the Selectboard at this time.

PREPARED AND REVIEWED BY: 
Joe Sokul, DPW Superintendent

DATE: 10/3/2014

APPROVED: 
Jennifer Tabakin, Town Manager

DATE: 10/7/2014

**TOWN of GREAT BARRINGTON
TRANSFER STATION**

Town of Great Barrington Vehicle Sticker Program

Annual Sticker -No trash bag stickers required	\$300.00
Residential Sticker - Trash bag stickers required	\$30.00

Recycling - No Vehicle Sticker Required

Recycle Paper and Containers	(NO FEE)
Recycle Used Motor Oil	(NO FEE)
Recycle Scrap Metal	(NO FEE)
Recycle Paint/Paint Exchange from April through October	(NO FEE)
Recycle Clothing & Shoes	(NO FEE)

Residential Trash (Pay-per-Bag Program)

Bag Sticker for a 30-gallon trash bag	\$3.25/sticker
Bag Sticker for a 13-gallon trash bag	\$1.50/sticker

Construction & Demolition Debris

Any Car load	\$25.00
Pickup with level load	\$50.00
Pickup with side boards	\$80.00

Other Materials

Refrigerators	\$20.00
Chest or Upright Freezer	\$20.00
Air conditioners **See Note	\$20.00
Dehumidifier	\$20.00

***Note: All refrigeration units (air conditioners, refrigerators, and freezers) shall have a visible label certifying that the freon has been removed by a licensed contractor prior to disposing of the unit at the Recycling Center.*

White Goods	\$20.00
Small Appliances (Microwave, toaster oven, vacuum etc.)	\$5.00
Mattress	\$20.00
Box Spring	\$20.00
Sofa	\$25.00
Upholstered Chair	\$20.00
Cribs/Porta Cribs w/o mattresses	\$5.00
Love Seat	\$20.00
Sinks - Porcelain	\$15.00
Toilets	\$15.00
Plastic Furniture	\$10.00
Oversized Plastic Toys	\$10.00
Carpets - 3, x 3, to 10' x 10'	\$10.00
Carpets - Oveer 10, x 10,	\$15.00

**TOWN of GREAT BARRINGTON
TRANSFER STATION**

Automobile Supplies

Car Tire	\$4.00
Car Tire with rim	\$6.00
Pickup Tires	\$7.50
Pick Up tires w/rim	\$7.50
Truck tire w/Rim	\$10.00
Tractor Trailer Tire	\$20.00
Tractor Trailer Tire w/rim	\$25.00

Office Equipment Electronics

Computers CPU's	\$15.00
Computer System (Monitor, Keyboard, CPU)	\$25.00
Printer Only	\$10.00
Laptop	\$10.00
Televisions under 36 inch	\$15.00
Televisions over 36 inch	\$25.00
Stereos, VCR, DVD	\$15.00
Home/Office Telephones	\$5.00
Cell Phones	\$3.00

EXECUTIVE SUMMARY

TITLE: Appointment of Design Professional to the Design Advisory Committee.

BACKGROUND: The Town has one (1) vacancy for Design Professional to serve on the Design Advisory Committee. The term is for 5 years. Lisa Landry has applied.

FISCAL IMPACT: Not applicable; members serve without compensation.

RECOMMENDATION: The Selectboard appoint Lisa Landry to the Design Advisory Committee for a term to expire June 30, 2019.

PREPARED AND REVIEWED BY: Jennifer Tabakin
Jennifer Tabakin, Town Manager

DATE: 10/8/2014

9.5.4 Special Permit Granting Authority. The special permit granting authority shall be the Board of Selectmen.

9.5.5 Design Review. The purpose of design review is to preserve, enhance and raise awareness of the town's cultural, economic and historical resources by providing for a review of all changes in the appearance of structure and sites which may affect these resources. The review procedures are intended to: enhance the social and economic viability of the town by preserving property values and promoting the attractiveness of the town as a place to live, visit and shop; encourage the conservation of buildings and groups of buildings that have aesthetic or historic significance; prevent alterations that are incompatible with the existing environment or that are of inferior quality or appearance; encourage flexibility and variety in future development. All new structures, alterations or additions to existing structures which affect the exterior architectural appearance of a building shall be subject to review by the Design Advisory Committee, provided that the action occurs on land which is located in the Downtown Business B District.

9.5.6 Design Advisory Committee. A Design Advisory Committee is hereby established to review applications for all actions that are subject to the provisions of this section and to work cooperatively with owners of land, buildings and businesses. The Design Advisory Committee shall make recommendations to the appropriate decision making body and/or the applicant concerning compliance of the proposed action to the design review standards in this section. The Design Advisory Committee shall consist of seven members, constituted as follows:

1. Building Inspector (ex officio, nonvoting member).
2. Planning Board member, selected by the Planning Board.
3. Historic District Commission member, selected by the Historic District Commission.
4. Architect, appointed by the Board of Selectmen.
5. Design Professional, appointed by the Board of Selectmen. *[amended 5/6/2013 ATM]*
6. Three members from the general public, appointed by the Board of Selectmen.

The terms of all appointed members shall be five years. The Historic District Commission member and the Planning Board member shall serve for one-year terms.

The selecting or appointing boards or commissions may select or appoint an Alternate Member who may serve and act in the place of the Member selected or appointed by that board or commission in the event of the absence of that Member. In the event of an absence, the Chair may elevate an Alternate Member(s) in order to form a quorum and to vote on matters pending before the Committee, provided that the composition of the Committee is not altered.

9.5.7 Design Advisory Committee; Procedures.