

**TOWN OF GREAT BARRINGTON
SELECTMEN'S MEETING
MINUTES
TUESDAY, MAY 14, 2013
7:00 P.M. – TOWN HALL**

PRESENT: DANIEL BAILLY
STEPHEN BANNON
ANDREW BLECHMAN
DEB PHILLIPS
SEAN STANTON
JENNIFER TABAKIN, TOWN MANAGER

7:00 PM – PUBLIC SESSION – BOARD ROOM

1. CALL TO ORDER

Town Manager, Jennifer Tabakin called the meeting to order at 7:00 P.M.

2. APPROVAL OF MINUTES:

April 22, 2013 Regular Meeting.

MOTION: Deb Phillips to approve the April 22, 2013 minutes

SECOND: Steve Bannon

VOTE: 4-0-1 Dan Bailly abstains

May 6, 2013 Special Meeting.

MOTION: Deb Phillips to approve the May 6, 2013 minutes

SECOND: Steve Bannon

VOTE: 4-0-1 Dan Bailly abstains

3. REORGANIZATION

A. Welcome and congratulations to the newly elected Selectmen

Jennifer Tabakin welcomed and congratulated Dan Bailly and Steve Bannon.

B. Election of town chair and vice chair

MOTION: Deb Phillips to nominate Sean Stanton as Chairman

SECOND: Steve Bannon

VOTE: 4-0-1 Sean Stanton abstains

MOTION: Steve Bannon to nominate Deb Phillips as Vice-Chair

SECOND: Dan Bailly

VOTE: 5-0

4. SELECTMEN'S ANNOUNCEMENTS/STATEMENTS:

A. GENERAL COMMENTS BY THE BOARD.

Dan Bailly thanked everyone who came out to vote. Dan thanked Michael Wise for a well-run campaign. He congratulated Steve Bannon and said that he looks forward to being on the Board for the next 3 years.

Andrew Blechman said that there was a family that felt singled out during the property maintenance code discussion at town meeting. He apologized.

Andrew spoke about the instance last year in which his friend fell on the sidewalk resulting in injuries and a \$2000 medical bill. Andrew said that a neighbor recently fell on Anderson Ave. resulting in a nose break. He said that walking on sidewalks should not be a hazard. Andrew said that this needs to be worked on.

Steve Bannon welcomed Dan Bailly, thanked the voters and said that he is looking forward to the next 3 years.

Deb Phillips congratulated Steve Bannon and Dan Bailly.
Sean Stanton congratulated Steve Bannon and Dan Bailly.

5. TOWN MANAGER'S REPORT:

Jennifer Tabakin said that her first week went well. She said that she is very impressed with the staff of skilled professionals.

A. BOS – TO VOTE THAT THE MAXIMUM USEFUL LIFE OF THE FIRE TRUCK APPROVED BY THE MAY 6, 2013 ANNUAL TOWN MEETING IS 20 YEARS.

Jennifer Tabakin requested that the Selectboard vote on this item as approved by Fire Chief Charlie Burger.

MOTION: Deb Phillips that the maximum useful life of the fire truck approved is 20 years.

SECOND: Steve Bannon

VOTE: 5-0

Jennifer Tabakin commended the police and fire department in their response to the tragedy at Monument Mountain. She also complimented the Selectboard for immediately being available and communicating well.

Jennifer announced that BRPC is working on a housing needs study for Great Barrington and Sheffield. The results will be presented on May 23, 2013 at 6:00 PM at the Fire Station.

Jennifer reported that the 100% resubmission of the design drawing for the Main Street project will be sent to the State. There will be another review, State submission and then the contract documents should be issued by August 30th.

6. CITIZEN SPEAK TIME:

Paul Kleinwald complimented all Boards who participated in the Annual Town Meeting. He said that everyone's behavior was 'wonderful.'

Mr. Kleinwald said that he has been educating himself on the law. He went to the Town Clerk and revoked his voter registration due to the relentless attack on the freedoms of Americans; state, federal and local. He stated that he is no longer a member of Corporation of the town of Great Barrington, neither the Commonwealth of Massachusetts nor the Federal Government of the USA. He said that his domicile is his property and there shall be no trespassing on his property. He will issue billable fees for violations.

Mr. Kleinwald issued a statement stating such to the Board, the Town Manager and to be distributed to all town officials.

Jenny Clark asked about the colored cement chosen for the Main Street Reconstruction project. She said that she has heard that this part of the project has been done away with.

Sean Stanton responded that this would be a \$30,000 expense that the State would not pay for.

Jenny said that the reason for the color was to avoid glare and asked Sean and the Selectboard to reconsider.

Sean Stanton said that he would have a discussion with the Town Manager and the Selectboard about it.

Jennifer Tabakin said that everyone will be clear about the changes before the project goes out to bid. This will be a presentation of the facts, not to open discussion about the changes.

Jenny asked that the Selectboard find out why adding dye to the cement is so expensive.

Sharon Gregory – 32 Hollenbeck Ave suggested if there is another public hearing about the project, not to have Fuss and O'Neil present as this cost is exorbitant.

John Breasted – 2 Bernard Gibbons Dr. – congratulated Steve Bannon and Dan Bailly. John gave Dan Bailly the advice to ask questions; don't be shy.

John spoke about the recent School Committee meeting in which they spoke about having an armed resource officer in school. He said that the Selectboard may not have legal control over this, but they do have influence over public opinion.

John said that there was also a vote to set a date for putting the bonding of the High School renovation proposal on the ballot. John asked if the Selectboard will make a formal recommendation to the public. Sean Stanton said that they will.

Michelle Loubert welcomed the new Town Manager and the new Selectman.

Michelle said that she has been going to school for her public administration BS. Since she needed to volunteer at a non-profit organization, she chose the Senior Center. She said that it has been a wonderful experience and she gives credit to Polly Mann, Director.

Michelle also spoke about the dog problem at St. Peters cemetery. She said that dogs are let loose in the cemetery and defecate on the graves. She suggested ticketing for unleashed dogs. A by-law regarding this is already in place.

Sean Stanton thanked Michelle for service at the Senior Center.

He suggested that the cemetery be added to the police loop to keep on top of this problem.

7. PUBLIC HEARINGS:

a. Open Public Hearing

MOTION: Deb Phillips to open the public hearing

SECOND: Steve Bannon

Roll Call Vote:

Steve Bannon – yes

Andrew Blechman – yes

Deb Phillips – yes

Sean Stanton – yes

Dan Bailly – yes

VOTE: 5-0

b. Explanation of Project – Nick Arienti was representing the owners. He said that there will be no physical changes according to the lease. Breakfast and lunch will be served.

c. Speak in Favor/Opposition – Kelly Vickery spoke in favor. She said that they would be a huge bonus to the town. They are great business owners.

d. Motion to Close Public Hearing

MOTION: Deb Phillips to close the public hearing

SECOND: Steve Bannon

Roll Call Vote:

Steve Bannon – yes

Andrew Blechman – yes

Deb Phillips – yes

Sean Stanton – yes

Dan Bailly – yes

VOTE: 5-0

e. Motion re: Findings

MOTION: Deb Phillips to approve the Findings of Fact for a new Common Victualler All Alcoholic Restaurant Liquor License for Berkshire Culinary GB Inc. d/b/a Haven Café & Bakery, Shelly L. Williams, Manager at 325 Stockbridge Rd. (rear), Great Barrington, MA 01230, and with the findings that the benefits of the proposal outweigh any possible detrimental impacts.

SECOND: Steve Bannon

Roll Call Vote:

Steve Bannon – yes

Andrew Blechman – yes

Deb Phillips – yes

Sean Stanton – yes

Dan Bailly – yes

VOTE: 5-0

f. Motion re: Approval/Denial/Table

MOTION: Deb Phillips, in view of the approved findings, move to approve the Common Victualler All Alcoholic Restaurant Liquor License.

SECOND: Steve Bannon

Roll Call Vote:

Steve Bannon – yes

Andrew Blechman – yes

Deb Phillips – yes

Sean Stanton – yes

Dan Bailly – yes

VOTE: 5-0

MOTION: Deb Phillips to approve the Entertainment License.

SECOND: Steve Bannon

Roll Call Vote:

Steve Bannon – yes

Andrew Blechman – yes

Deb Phillips – yes

Sean Stanton – yes

Dan Bailly – yes

VOTE: 5-0

8. LICENSES OR PERMITS:

- A. SHELLY L. WILLIAMS/BERKSHIRE CULINARY G.B. INC. D/B/A HAVEN CAFÉ & BAKERY FOR 2013 COMMON VICTUALLER LICENSE THURSDAY – TUESDAY FROM 7:30 AM – 12:00 AM TO INCLUDE SEASONAL OUTSIDE SEATING (12 SEATS) AT 325 STOCKBRIDGE ROAD (REAR), GREAT BARRINGTON. (DISCUSSION/VOTE)

MOTION: Deb Phillips to approve as amended (Monday – Sunday 7:30 AM – 12:00 PM)

SECOND: Steve Bannon

VOTE: 5-0

- B. YULIA BOUGOUIN/PATISSERIE LENOX INC. FOR 2013 COMMON VICTUALLER LICENSE 7 DAYS A WEEK FROM 8:00 AM – 8:00 PM TO INCLUDE OUTSIDE SEATING (6 TABLES AND 12 CHAIRS) FROM APRIL 1– OCTOBER 31 AT 313 MAIN STREET, GREAT BARRINGTON. (DISCUSSION/VOTE)

MOTION: Deb Phillips to approve the license

SECOND: Steve Bannon

VOTE: 5-0.

- C. HOLLY HAMER/FRIENDS OF THE GREAT BARRINGTON LIBRARIES FOR ONE DAY ALL ALCOHOLIC LIQUOR LICENSE FOR MAY 24, 2013 FROM 6:00 PM - 8:00 PM AT THE RAMSDELL LIBRARY THEATER, RAMSDELL LIBRARY, 1087 MAIN STREET, HOUSATONIC. (DISCUSSION/VOTE)

Deb Phillips asked who would hold the liability for this event.

Andrew Blechman said that the 'Friends of the Library' would take liability.

Sean Stanton asked Jennifer Tabakin to find out the history around this and more details about the towns coverage.

Dan Bailly asked if the second floor would be used for the event; speaking to ADA.

Holly Hamer responded that they will use the 2nd floor and it is not handicap accessible.

Deb Phillips said that the organizer should take on the liability, not the Town.

Michelle Loubert said that she does not support serving alcohol at the library. The taxpayers would end up paying if the Town is liable.

Holly Hamer suggested that the event could be held inside and out for accessibility.

MOTION: Deb Phillips to approve the license conditioned upon the Town having coverage under current liability with no extra expense. If not then only if the 'Friends of the Library' provide the Selectboard a Certificate of Liability Insurance.

SECOND: Andrew Blechman

VOTE: 4-1 Steve Bannon against

- D. LAUREN HYDE/PURPLE DRESS EVENTS OF THE BERKSHIRES FOR ONE DAY TEMPORARY WEEKDAY ENTERTAINMENT LICENSE FOR JUNE 8, 2013 FROM 2:00 PM-9:00 PM AT THE VFW JAMES A. MODOLO POST #8348, 800 MAIN STREET, GREAT BARRINGTON. (DISCUSSION/VOTE)

MOTION: Deb Phillips to approve the license

SECOND: Steve Bannon

VOTE: 5-0

- E. JOSHUA BRIGGS/GREAT BARRINGTON COOPERATIVE PRESCHOOL FOR ONE DAY SUNDAY ENTERTAINMENT LICENSE FOR MAY 19, 2013 FROM 11:00 AM - 3:00 PM AT BOGIES RESTAURANT, 935 S. MAIN STREET, GREAT BARRINGTON. (DISCUSSION/VOTE)

MOTION: Deb Phillips to approve the license

SECOND: Steve Bannon

VOTE: 5-0

- F. WILLIAM NOLAN/NOLAN REALTY TRUST FOR 2013 REAL ESTATE SIGN LICENSE. (DISCUSSION/VOTE)

MOTION: Deb Phillips to approve the license

SECOND: Steve Bannon

VOTE: 5-0

- G. RUNNING AWAY/MATT LINICK FOR PERMISSION TO UTILIZE TOWN ROADS (ROUTE 183, DIVISION STREET, ROUTE 41 AND VAN DEUSENVILLE ROAD) ON SUNDAY, MAY 26, 2013 FOR A MEMORIAL DAY MARATHON RACE. (DISCUSSION/VOTE)

MOTION: Deb Phillips to approve the use of town roads for the May 26th, 2013 event

SECOND: Steve Bannon

VOTE: 5-0

- H. VFW, JAMES A. MODOLO POST #8348, THE ADAMS-BUDZ POST #8183 AND THE AMERICAN LEGION POST 127 FOR PERMISSION TO HOLD THE ANNUAL MEMORIAL DAY PARADE ON MONDAY, MAY 27, 2013 IN HOUSATONIC AT 9:00 AM AND IN GREAT BARRINGTON AT 11:00 AM. (DISCUSSION/VOTE)

MOTION: Deb Phillips to grant permission

SECOND: Steve Bannon

VOTE: 5-0

- I. BERKSHIRE INTERNATIONAL FILM FESTIVAL (BIFF)/LAUREN FERIN – REQUEST TO SUSPEND THE PARKING ENFORCEMENT FROM MAY 30, 2013 – JUNE 2, 2013. (DISCUSSION/VOTE)

MOTION: Deb Phillips to approve the request

SECOND: Steve Bannon

VOTE: 5-0

- J. CARR'S CIDER HOUSE/JONATHAN CARR FOR A FARMER WINERY LICENSE TO SELL HARD CIDER AT THE GREAT BARRINGTON FARMER'S MARKET ON SATURDAY, MAY 18, 2013 –OCTOBER 26, 2013 FROM 9:00 AM – 1:00 PM. (DISCUSSION/VOTE)

MOTION: Deb Phillips to approve the Farmer Winery License to sell Hard Cider at the Great Barrington Farmer's Market on Saturday, May 18, 2013 – October 26, 2013 from 9:00 am to 1:00 pm.

SECOND: Steve Bannon
VOTE: 5-0

9. OLD BUSINESS:

A. CONTINUATION - BOS REVIEW AND COMMENT ON THE DRAFT OPEN SPACE AND RECREATION PLAN. (DISCUSSION)

Chris Rembold, Town Planner, gave a brief overview of this document.

He said that he is seeking formal comment for the final plan. This plan was sent to the State and approved, which will allow the Town to get grants through 2018. Chris said that the Selectboard comments will be sent to the State with the final package.

Deb Phillips said that a great deal of work went into this and it is very complete.

MOTION: Deb Phillips to officially approve, accept and support this plan

SECOND: Steve Bannon

VOTE: 5-0

10. SELECTMEN'S TIME:

None

12. MEDIA TIME:

None

13. ADJOURNMENT:

On a motion by Deb Phillips, seconded by Steve Bannon, the Board adjourned its meeting at 8:30 P.M.

Respectfully submitted,



Cara Becker
Recording Secretary