

**TOWN OF GREAT BARRINGTON
SELECTMEN'S MEETING
MINUTES
MONDAY, JUNE 27, 2011
6:00 P.M. – SPECIAL SESSION
7:00 P.M. – REGULAR SESSION BOARD ROOM**

PRESENT: STEPHEN BANNON
 ANDREW BLECHMAN
 ALANA CHERNILA
 DEB PHILLIPS
 SEAN STANTON
 KEVIN O'DONNELL, TOWN MANAGER

6:00 PM - SPECIAL SESSION – BOARD ROOM

- 1. CALL TO ORDER:** Sean Stanton called the meeting to order at 6:05 PM.
- 2. TOWN MEETING/TOWN ELECTION 2012 CALENDAR/TOWN WARRANT.**
(DISCUSSION/VOTE)

Kevin O'Donnell stated that the 2012 calendar is based on the years past with some dates moved around.

Sean Stanton suggested that the Town Meeting be split into 'Zoning' and 'Other'.

Deb Phillips said this is an excellent idea. She suggested a mini meeting before the Town Meeting to share information that will be helpful for people to understand what is being voted on. She said that an information sheet may also be helpful.

Alana Chernila suggested the Town Meeting be divided into 'budget' and 'other' in order to give more time to the school budget.

Stephen Bannon said that people are more informed if you give them the information before hand. He said that people need information to understand the vote. He agreed that dividing the meeting is a good idea and an informational meeting as well.

Deb Phillips said that people can hold the line items in the budget and it would be a piece by piece vote. She said that the school budget can't be pulled apart, so it needs to be clear if we devote more time to the school budget that not much can be done to change it. If someone wants to make a difference, they need to go to the School Board meetings.

Alana Chernila said that the length may not be what deters those from coming. She said that they don't go to the Town Meeting because they don't know about it or don't care. She said that it may always be this way and something bigger may need to shift.

Sean Stanton asked if they want to look at a representative form of government. He said that Lee uses this form of government and it is based on population.

Stephen Bannon suggested that the Selectmen first try to look at what they are working on now; information meetings and creating a warrant article that says there is a time limit. He said that the length discourages those who go to the Town Meeting.

Andrew Blechman suggested that an educational web page be created to describe the current system of government, why we have it, why it is important to participate and what is voted on.

Sean Stanton agreed that an information page would be great.

Andrew Blechman suggested that the reverse 911 system be used to tell people to go to the website to see what is on the warrant. He also suggested a mailer including the warrant articles and an explanation of each. Stephen Bannon responded that cost and staff are the problem.

Andrew Blechman suggested that they push the community aspect of the process and vote on a local bureau of the year (or a citizen of the year).

Alana Chernila said that some communities have picnics and make it a community event.

Sean Stanton asked if it's the most democratic way with 4,000 voters and only 400 making the decision for the rest.

Stephen Bannon responded that the Selectmen work on the current form of government before they change it.

David Scribner suggested that a civic course be introduced at the High School to encourage the children and hope it also encourages the parents.

Sean Stanton said that the budget and property taxes have doubled over the past 12 years with this form of government and people can no longer afford to live here.

Deb Phillips said when they were working on the budget, they weren't in the process early enough to change it in a timely fashion. She suggested when decisions are being made, those meeting dates be communicated.

Stephen Bannon suggested that they find out a price for the mailers first and still consider an informational meeting.

Sean Stanton designated Andrew Blechman to write something about the history of the government. Andrew agreed.

7:00 P.M. -- Public Session -- Board Room

1. CALL TO ORDER:

Sean Stanton called the meeting to order at 7:00 P.M.

2. APPROVAL OF MINUTES:

A. June 13, 2011 - Regular Meeting

MOTION: Deb Phillips to approve minutes from the June 13, 2011 meeting

SECOND: Stephen Bannon

VOTE: 5-0

3. SELECTMEN'S ANNOUNCEMENTS/STATEMENTS:

Alana Chernila thanked the Police and Fire Departments, and everyone who worked on the fires in town.

Alana spoke about the summer reading program run by the new children's librarian, Laurie Harrison, who is working on new activities. She recommended and encouraged everyone to check out the Library website for more information.

Andrew Blechman thanked the Police and Fire Departments who made us feel safe and secure quickly after the fires in Town.

Andrew spoke about an article in the New York Times about traffic calming and recommended everyone read it. He said there will be a link on the website to the article.

4. TOWN MANAGER'S REPORT:

Kevin O'Donnell stated that they are still actively recruiting people for the positions of Cemetery Commissions, Council on Aging, Energy Committee, Fence Viewer, Historical Commission, Zoning Board of Appeals Associate member and Tree Committee. Anyone interested should e-mail him or call his office.

A. REQUEST TO CARRY OVER 1 VACATION DAY.

MOTION: Deb Phillips to approve the request to carry over 1 vacation day.

SECOND: Stephen Bannon

VOTE: 5-0

5. CITIZEN SPEAK TIME:

David Magadini spoke about the Master Plan Committee and said that many don't know about them but they have great authority to change things in the Town. Mr. Magadini gave a handout regarding the two workshops being held at the Fire Station on July 13 and 14. He encourages all to attend and see what the future of Great Barrington is going to be and to share your vision.

Deb Phillips added that Wednesday, July 13 is the Berkshire Regional Planning Commission meeting, which is the county wide plan meeting and Thursday, July 14 is the Great Barrington Master Plan Committee meeting. She encouraged all to come.

6. PUBLIC HEARING:

A. A. LORI A. WELLER D/B/A GYPSY JOYNT, LORI A. WELLER, MANAGER TO ALTER PREMISES FOR THE COMMON VICTUALLER WINE AND MALT RESTAURANT LIQUOR LICENSE TO EXTEND SERVICE OF ALCOHOL OUTSIDE FOR FOUR (4) TABLES WITH EIGHT (8) CHAIRS AT 293 MAIN STREET, GREAT BARRINGTON, MA 01230.
(DISCUSSION/VOTE)

a. Open Public Hearing

MOTION: Stephen Bannon to open public hearing

SECOND: Deb Phillips

VOTE: 5-0

b. Explanation of Project

Keith Weller stated that he is seeking permission to serve beer and wine outside to his customers. He said that he will have barriers around the serving area to meet the State guidelines.

c. Speak in Favor/Opposition - None

d. Motion to Close Public Hearing

MOTION: Deb Phillips to close public hearing

SECOND: Stephen Bannon

VOTE: 5-0

e. Motion re: Findings

MOTION: Stephen Bannon that there is no detrimental impact to extending service outside.

SECOND: Deb Phillips

VOTE: 5-0

Sean Stanton said that he has heard complaints that customers have been on the sidewalk and that they are “losing control” of the patrons. He said that the drawing depicts the area that is not against the building. Keith Weller replied that he has triple the space – 4 ft is required from the road to the barrier and he has well more than that. He said that barriers will help to control placement.

Deb Phillips asked if he will put up barriers if they choose not to serve alcohol outside.

Mr. Weller replied that there would be no need to.

Deb Phillips suggested if there were some way to let patrons know where the boundary is, that would be helpful.

f. Motion re: Approval/Denial/Table

MOTION: Stephen Bannon to approve the beer and wine license for service outside Tuesday through Sunday from 11AM until 11PM.

SECOND: Deb Phillips

VOTE: 5-0

7. LICENSES OR PERMITS:

A. CONTINUATION OF JOHN MORRIS’ DRIVEWAY PERMIT APPLICATION AT 137 HURLBURT ROAD. (DISCUSSION/VOTE)

An amended drawing was submitted to the BOS by Creative Building Solutions.

MOTION: Deb Phillips to approve driveway permit with conditions as outlined in the DPW/Highway Superintendent’s memo.

SECOND: Stephen Bannon

VOTE: 5-0

Sara from Creative Building Solutions said that it is common practice to deliver material on a well road. Stephen Bannon asked Kevin O’Donnell to come up with a determination of what the by-laws say is legal so the Board knows for the future.

B. TIMOTHY LEE FOR A DRIVEWAY PERMIT AT 84 COTTAGE STREET.
(DISCUSSION/VOTE)

MOTION: Stephen Bannon to approve permit with conditions as outlined in the DPW/Highway Superintendent's memo.

SECOND: Deb Phillips

VOTE: 5-0

- C. GREAT BARRINGTON FISH AND GAME FOR ONE DAY BEER AND WINE LICENSE
FOR JULY 4, 2011 FROM 2:00 PM – 9:00 PM AT LONG POND ROAD. (DISCUSSION/VOTE)

MOTION: Deb Phillips to approve license

SECOND: Alana Chernila

VOTE: 5-0

- D. GREAT BARRINGTON FISH AND GAME FOR ONE DAY BEER AND WINE LICENSE
FOR AUGUST 14, 2011 FROM 11:00 AM – 6:00 PM AT LONG POND ROAD. *FEE WAIVER
REQUESTED.* (DISCUSSION/VOTE)

MOTION: Deb Phillips to approve license with fee waiver

SECOND: Stephen Bannon

VOTE: 5-0

8. NEW BUSINESS:

- A. A. BOS – APPOINTMENT OF REMAINING MEMBER TO DOWNTOWN PARKING TASK
FORCE. (DISCUSSION/VOTE)

MOTION: Stephen Bannon to approve the appointment of George Ryan and Tom Blauvelt to the Downtown Parking Task Force with only one vote

SECOND: Alana Chernila

VOTE: 5-0

- B. SOUTHERN BERKSHIRE REGIONAL HOUSEHOLD HAZARDOUS WASTE
COLLECTION AGREEMENT WITH CENTER FOR ECO TECHNOLOGY, INC.
(CET). (DISCUSSION/VOTE)

The Agreement is for CET to administer and coordinate a multi-town HHW collection program.

The HHW and Mini-site Collections will take place at the Recycling Center on August 13 from 9 – 11:30 and October 15 from 9 – 1.

MOTION: Stephen Bannon to approve continued participation in the CET program

SECOND: Deb Phillips

VOTE: 5-0

- C. BOS – RESOLUTION FOR AFRICAN AMERICAN REVOLUTIONARY WAR PATRIOTS
OF GREAT BARRINGTON AND THE PROPOSED NATIONAL LIBERTY MEMORIAL.
(DISCUSSION/VOTE)

The resolution concerning African American Revolutionary War Patriots of Great Barrington states that there were 6 African Americans that fought from Great Barrington.

MOTION: Deb Phillips to sign the resolution

SECOND: Alana Chernila

VOTE: 5-0

Stephen Bannon said that it is great to honor those who deserve to be honored.

- D. BOS – FY 2012 APPOINTMENTS. (DISCUSSION/VOTE)

MOTION: Stephen Bannon to appoint Daniel Tawczynski (3 year term) and Hilda Banks Shapiro (1 year term) to the Agricultural Commission

SECOND: Deb Phillips

VOTE: 5-0

MOTION: Stephen Bannon to appoint Lee Rogers, John Kilner and Jonathon Williams to the Cultural Council

SECOND: Deb Phillips

VOTE: 5-0

MOTION: Stephen Bannon to concur with the Town Manager to reappoint Patricia Kinne to another 3 year term on the Conservation Commission

SECOND: Deb Phillips

VOTE: 5-0

MOTION: Deb Phillips to appoint Beth Moser and Alana Chernila to the Energy Committee

SECOND: Stephen Bannon

VOTE: 5-0

MOTION: Deb Phillips to appoint Harold Shaw to be the Fence Viewer

SECOND: Stephen Bannon

VOTE: 5-0

MOTION: Deb Phillips to nominate Andrew Blechman for a fence viewer

SECOND: Stephen Bannon

VOTE: 5-0

MOTION: Stephen Bannon to appoint Barbara Syer to the Historic District Commission

SECOND: Deb Phillips

VOTE: 5-0

MOTION: Stephen Bannon to appoint Marilyn Kalish as an alternate member to the Historic District Commission

SECOND: Deb Phillips

VOTE: 5-0

MOTION: Andrew Blechman to appoint Craig Okerstrom-Lang as a regular member and Daniel Bailly as an alternate member to the Historic District Commission.

SECOND: Deb Phillips

VOTE: 5-0

MOTION: Deb Phillips to appoint Paul Ivory and Lila Parrish to the Historical Commission.

SECOND: Deb Phillips

VOTE: 5-0

Presently, Town Counsel is the firm of Kopelman and Paige. Kevin O'Donnell stated that there is no contract with them. It's a yearly appointment.

Deb Phillips said that she would like to analyze the cost of such counsel, the time to travel, and determine the pros and cons of obtaining local counsel.

Stephen Bannon asked if this is an RFP item.

Kevin O'Donnell replied that it can be and said that this is the route that other communities follow.

Deb Phillips said that she would like to explore the pros and cons of having local counsel and would like to see what is out there.

Sean Stanton suggested that the Board decide why they may be unhappy with the current counsel and write those reasons down. He said they may want to go to MMA for assistance.

MOTION: Stephen Bannon to appoint Joseph Sokul as the Veterans Grave officer

SECOND: Deb Phillips

VOTE: 5-0

Sean Stanton announced that there is a ZBA associate member vacancy for anyone who may be interested. Stephen Bannon requested that a list of the remaining vacancies be put out to the public.

E. BOS – RECOMMENDATION TO THE ZBA ON THE APPLICATION OF PITTSFIELD CELLULAR TELEPHONE COMPANY D/B/A VERIZON WIRELESS TO MODIFY THE 2005 SPECIAL PERMIT TO REPLACE EXISTING TELECOMMUNICATIONS ANTENNAS ATOP FAIRVIEW HOSPITAL, 29 LEWIS AVENUE WITH NEW UNITS. (DISCUSSION/VOTE)

MOTION: Deb Phillips to send a positive recommendation to the ZBA

SECOND: Alana Chernila

VOTE: 3-0-2 Andrew Blechman abstained and Stephen Bannon abstained as he is an employee of the hospital

F. BOS – DISCUSSION RE: OUTDOOR SERVICE OF ALCOHOL.

Kevin O'Donnell presented a list of restaurants with outdoor seating and who also serve alcohol. He said that the state law says that closing is no later than 2:00 AM and no liquor being served after this time. Kevin O'Donnell said that "hours of operation" has meant when the restaurant stops serving alcohol. Deb Phillips asked if the hours of operation should be consistent or based on where the restaurant is located. Stephen Bannon suggested that the hours of operation that have been voted upon for each should be written on the license.

Michelle Loubert said that she emailed Stephen Bannon about her conversations with the ABCC regarding this topic and got no response.

Stephen Bannon responded that he sent a response.

Michelle Loubert said that some of the paperwork for the Brickhouse Pub says that people have to be off the premises by 2:30AM and she would like clarification.

MOTION: Stephen Bannon that all Common Victualler Licenses should say the hours of operation (when the business closes) and the liquor license should say the hours of service.

SECOND: Deb Phillips

VOTE: 5-0

Alana Chernila said that there should be a town wide regulation for licenses with outdoor service.

Sean Stanton said this is the reason for the public hearing process.

Kevin O'Donnell replied that the hours of operation will be specified on the license and if they are not specified the restaurant will be allowed to be open until 2:00 AM

G. DISCUSSION OF TOWN CHARTER RE: LIBRARY TRUSTEES REQUEST.

It was stated that the Library Charter and the By-laws are in conflict and that the Charter should be looked at every 10 years.

Stephen Bannon said in order to amend the Charter, a sub-committee would need to be created to do so.

Sean Stanton replied that this is true and that there are legal ways required to do so. He recommended that the Board of Selectmen have a meeting to review the Charter.

Sean Stanton said that there will be a separate meeting on September 27 at 6:00 PM to review the Town Charter. This is the first step in the process.

Karen Smith asked if there will be public input during the Selectboard's review process.

Sean Stanton replied yes.

Karen Smith asked where the BOS' recommendations go – a vote or Town Meeting?

Sean Stanton replied that it must go to the Town Meeting.

Karen Smith asked if something is changed that creates a new job description, would it mandate a new election of the Board because of the new description?

Sean Stanton replied no.

9. SELECTMEN'S TIME:

Alana Chernila reminded everyone to check out the new summer reading program at the Mason Library.

10. MEDIA TIME: None

11. ADJOURNMENT:

On a motion by Deb Phillips, seconded by Alana Chernila, the Board adjourned its meeting at 8:45 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cara Becker". The signature is written in black ink and is positioned above the printed name and title.

Cara Becker
Recording Secretary