

**TOWN OF GREAT BARRINGTON
SELECTMEN'S MEETING MINUTES
August 12, 2013**

PRESENT:

Sean Stanton
Deborah Phillips
Stephen C. Bannon
Daniel Bailly
Andrew Blechman
Jennifer Tabakin, Town Manager

1. CALL TO ORDER:

The meeting began at 7:01 p.m.

2. APPROVAL OF MINUTES:

July 16, 2013 Special Meeting minutes were unanimously approved on a motion by Ms. Phillips, seconded by Mr. Bannon.

July 22, 2013 Regular Meeting minutes were approved by four members on a motion by Ms. Phillips, seconded by Mr. Bannon, Mr. Blechman abstaining as he did not attend the meeting.

3. SELECTMEN'S ANNOUNCEMENTS/STATEMENTS:

Mr. Bailly said he recently witnessed a group of 50 or so bicycle riders ignoring the presence of a pedestrian on a Main Street crosswalk. He said bikers should follow the same rules of the road as motorists and respect walkers in crosswalks.

Mr. Blechman observed that some motorists who park at the top of Railroad Street, when it comes time to leave, go the wrong way down Railroad Street to reach Main Street. Ms. Tabakin suggested a "Do Not Enter" sign might be installed near Martin's Restaurant to address the issue.

Mr. Blechman took strong issue with the use of "armed guard" in *Berkshire Record* headlines about a proposed police officer in the Berkshire Hills Regional School system. He said use of the words is exploitive of the mass killing in Newtown, Conn., and is only an attempt to rile readers. He said the issue of an officer in schools is worthy of public debate, but not manipulation.

4. TOWN MANAGER'S REPORT:

A. FOLLOWUP ITEMS.

Ms. Tabakin said staff is capable of dealing with issues raised by the Solarize Mass and Solarize Coach program. Most of the activity would take place February to June.

She said the town has hired Shep Evans as Conservation Commission agent, Lizzie Meier as a part-time library technician and Jerry Morey as a wastewater treatment plant laborer/driver.

B. DEPARTMENT UPDATES

DPW Superintendent Joe Sokul said the town, thanks to the work of its all-volunteer Tree Committee, has received a Tree City USA designation from the National Arbor Day Foundation and has metal signs to be mounted on highways coming into town.

C. COMMITTEE UPDATES.

Ms. Tabakin said lease negotiation is moving forward on the Dewey School Court House. She listed several upcoming meetings. She said the Master Plan Committee has completed its work and will begin a public review. She said Mason Library had 15,493 visitors last month, Ramsdell Library 710. She said grant

applications are due to the Cultural Council by Oct. 15. She said the Historical Commission has inventoried some 1,234 items in its archive at Ramsdell Library.

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.

The hearing was opened on a motion by Ms. Phillips, seconded by Mr. Bannon and approved by all. The hearing was continued to August 26, 2013, on a motion by Ms. Phillips, seconded by Mr. Bannon and approved by all.

6. LICENSES OR PERMITS:

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

Amy Rudnick said the plan is to gather people after the theater event in order to view fireworks from Memorial Field. There would be music. Ms. Phillips moved to approve, Mr. Bailly seconded, four members approved, Mr. Bannon recused himself as he works for Fairview Hospital.

- 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 PM – 10 PM IN DOWNTOWN GREAT BARRINGTON FOR SUMMERFEST.

Betsy Andrus requested an Aug. 25 rain date for the event, 2 to 10 p.m. Ms. Phillips made a motion to approve, Mr. Bannon seconded, the vote was unanimous. After further discussion, Ms. Phillips moved, Mr. Bannon seconded, to allow use of Town Hall property for the event. The vote was all in favor.

- C. BETSY ANDRUS/SOUTHERN BERKSHIRE CHAMBER OF COMMERCE FOR TEMPORARY WEEKDAY OUTDOOR ENTERTAINMENT LICENSE FOR SATURDAY, AUGUST 24, 2013, FROM 3 PM – 9 PM AT THE TRIPLEX PARKING LOT FOR STAGE 2.

Ms. Phillips moved to approve the license, Mr. Bannon seconded, all were in favor. Ms. Phillips moved, Mr. Bailly seconded, to allow use of Town Hall property for the event. The vote was all in favor.

- D. ADAM MEAD/GB FIRE DEPARTMENT - TO RESCHEDULE THE 2013 ANTIQUE AUTO CAR SHOW.

After discussion, Mr. Bannon moved to allow the event Aug. 29, Ms. Phillips seconded. They were the only two to vote in favor, the other three selectmen were opposed. Mr. Blechman moved to allow the event Aug. 22, Mr. Bailly seconded, four selectmen said aye, Mr. Bannon said no.

- E. VICKI COONS/FAIRVIEW HOSPITAL'S RECREATION ASSOCIATION FOR PERMISSION TO HOLD ANNUAL MONSTER DASH 5K RUNNING RACE/WALK AND 1 MILE WALK ON OCTOBER 26, 2013, BEGINNING 9:30AM, STARTING AND FINISHING AT FAIRVIEW HOSPITAL OUT-PATIENT REHAB SERVICES (MAPLE AVENUE).

Ms. Phillips moved to approve, Mr. Bannon seconded, four voted in favor, Mr. Bannon recused himself.

- 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.

Ms. Phillips moved to approve, Mr. Bannon seconded, all were in favor. Ms. Phillips said a policy needs to be looked at for banner placement. Ms. Tabakin put it on her follow-up list.

7. NEW BUSINESS:

- A. REVIEW OF BOS POLICIES AND PROCEDURES RE: ITEM VIII. CITIZEN SPEAK PROCEDURES.

The board discussed Ms. Tabakin's suggestion the Citizen Speak portion of the meeting be moved to the end, so that those who have applied for permits or licenses aren't kept waiting through extraneous discussions. No one wanted to dispense with Citizen Speak, though Ms. Phillips suggested topics be relevant to town business. Mr. Stanton said the board may later discuss limiting speakers to 3 minutes.

B. NATHANIEL KARNS/BRPC – REQUEST FOR SUPPORT FOR 6 TOWN RIVER CLEANUP.

Nat Karns said the Housatonic Rest of River Municipal Group is trying to get the attention of GE/EPA/DEP as plans move forward to deal with PCB contamination in sections of the Housatonic River through Lenox, Lee, Stockbridge, Great Barrington and Sheffield. He said 39 property owners have been sent letters indicating contamination found on their properties merits further analysis. Mr. Karns said the group will work to see that any community economic losses due to the cleanup are mitigated or reimbursed. He said EPA estimates \$250 million in community losses, though he thinks double that figure is more likely. Except for Woods Pond and Rising Pond, there is not much PCB buildup in the river in these towns. Potential dump sites have been identified in Lee and Great Barrington. EPA has indicated it will push for an out-of-county disposal site, but if GE goes to court, court will decide. He said a hydro-generating FERC license for Rising dam has been allowed to lapse; GE now owns the dam and west side of the property. He said all but Great Barrington have put in \$10,000 toward the legal fees of Pawa Law Group of Newton, to represent the towns. Ms. Tabakin said the Selectmen signed a letter of support for the partnership. The selectmen said Ms. Tabakin should go to the Finance Committee to request a transfer of \$10,000 from appropriate funds. Mr. Karns said at Lee's insistence, any future negotiation for an in-county landfill site will take a unanimous vote of the Housatonic Rest of River Municipal Group. He said he would supply Ms. Tabakin with informational material to take to the Finance Committee. Ms. Tabakin and a designated staff member will represent the town on the Housatonic Rest of River Municipal Group.

8. OLD BUSINESS:

A. SALE OF CASTLE STREET FIRE STATION.

On a motion by Mr. Bannon, seconded by Ms. Phillips, the board by four votes approved the 13th amendment to a purchase and sale agreement. Mr. Bailly voted to oppose. At the suggestion of Ms. Phillips an executive session strategy meeting with town counsel will be held Sept. 21 at 6 p.m. at the new fire station. A strategic planning meeting will follow at the same location at 7 p.m.

9. SELECTMEN'S TIME:

10. CITIZEN SPEAK TIME:

A. MARYELLA BOWEN SATINOVER RE: DOG ISSUE AT TOWN CEMETERIES.

Maryella Bowen Satinover, a town native who lives in California but visits her mother here regularly, complained that people walk their dogs in town cemeteries, and the dogs urinate and defecate on and near her father's and others' graves. She described her attempts over the last two years to get the town to take action. She said the animal control officer has warned violators of a \$50 fine, but cannot easily enforce it.

B. OTHER SPEAKERS

Michelle Loubert said she had also made similar complaints about the dog problem. Mr. Bailly said he checked into cemetery policy, and said there appears not to be one for the town (rather than Catholic or Jewish) cemeteries.

On another matter, Ms. Loubert asked if the Citizen Speak policy of a person speaking only one time applied if someone had a comment to make on a permit or license issue before the board. She said it would not be fair if a town board, late in the evening, became tired and canceled the Citizen Speak time.

Claudia Shapiro, joined by Dan Bell, fired a series of questions at the board regarding an entertainment license issued to Berkshire Aviation Enterprises; at what they saw as failure of the town to enforce the Water Quality District or to abide by the zoning bylaw use table; and at the town's failure to their respond to requests for information. Mr. Stanton and Ms. Tabakin responded, in no particular order, that the airport predates zoning; that the use table refers only to permanent use, not single-event use; and that the town has responded to Shapiro/Bell requests that have come in on a daily or several-times-daily basis.

11. MEDIA TIME:

12. ADJOURNMENT:

The meeting was adjourned at 8:35 p.m. on a motion by Ms. Phillips, seconded by Mr. Bannon and voted by all. The next Selectmen's regular meeting is August 26, 2013, at 7 p.m.

Bernard A. Drew, Recording Secretary

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