

**TOWN OF GREAT BARRINGTON
SELECTMEN'S MEETING
MINUTES
TUESDAY, AUGUST 2, 2011
6:30 P.M. – SPECIAL SESSION
7:00 P.M. – REGULAR SESSION BOARD ROOM**

PRESENT: STEPHEN BANNON
 ANDREW BLECHMAN – not present
 ALANA CHERNILA
 DEB PHILLIPS
 SEAN STANTON –
 KEVIN O'DONNELL, TOWN MANAGER

**KARIN BEEBE
TOM BLAUVELT – not present
RONNIE CUNNINGHAM
HOLLY HAMER
HILDA BANKS SHAPIRO
JIM STARK**

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 27, 2011 - Special Meeting

MOTION: Deb Phillips to approve minutes from the June 27, 2011 meeting

SECOND: Stephen Bannon

VOTE: 4-0

July 11, 2011 - Regular Meeting

MOTION: Deb Phillips to approve minutes from the July 11, 2011 meeting

SECOND: Alana Chernila

VOTE: 3-0-1 Stephen Bannon abstained

July 6, 2011 – Strategic Planning Priorities Meeting

MOTION: Stephen Bannon to approve minutes from the July 6, 2011 meeting

SECOND: Deb Phillips

VOTE: 4-0

3. SELECTMEN'S ANNOUNCEMENTS/STATEMENTS:

A. Town Counsel Appointment

Sean Stanton said that a letter has been received from Town Counsel stating that there was no charge for the Town Meeting because of the error made and they apologized for the error. The letter also addressed the confusion about the Rogers Rd. situation.

Sean said that the Board can choose to appoint another Town Counsel or stay with the current.

Stephen Bannon said that it is important to get the right person. He also said that finding new counsel is a lot of work.

Sean Stanton said that mistakes have been made by Town Counsel and there have been problems with communication. He said that the Board is also responsible for not communicating clearly what they want from Town Counsel.

Deb Phillips said that she knows it would be a lot of work to choose new Town Counsel and although she knows that the Board shares some responsibility, a clean slate is important. She said that the Board should choose Town Counsel, not use them because they are there.

Alana Chernila said that she would like to see who else is available and feels that the RFP process is beneficial. She said that they should not wait until things are worse to make a decision.

Stephen Bannon said that it should be a state wide search and although it does not require an RFP, he recommends it.

Kevin O'Donnell said that the RFP process is time consuming. He suggested that the Board bring in Counsel Doneski to speak about their concerns and hear his responses. He said the Board can make a decision based on this meeting.

John Breasted said that the Board has heard his feelings about this topic for three months. He said that the error of Town Counsel is malpractice and should not be taken lightly. He feels that the Town has been subjected to a potential legal issue and said that the vote was technically out of order.

Sean Stanton said that the Board tries to speak with one voice and it is important to speak about things in an open meeting instead of speaking individually with their own opinion.

Stephen Bannon suggested that the Board meet with Town Counsel and then determine how to move ahead.

Sean Stanton said that they should not pay for this meeting.

Kevin O'Donnell agreed and said that he would ensure that they don't pay for the meeting.

B. Option of Mailing Town Meeting Warrant Booklet/ Calendar

Kevin O'Donnell said that Marie Ryan has researched the cost of sending a notice to voters including the pertinent articles to be voted upon. The cost would be \$1,000 for a smaller post card and \$1200 for a larger post card.

Marie Ryan said that this price would include postage. The postcards would be sent to every household, not every voter.

Stephen Bannon said that the original request was to mail out information explaining the articles and he would feel more comfortable if they had an informational meeting as well. He recommends that the date of that 'mini town meeting' be put on the post card.

Kevin O'Donnell said that he will 're-vamp' the schedule and get back to the Selectmen.

All agreed.

Marie Ryan said that she will use neon colors and better wording to catch people's eye.

C. Discussion Major Projects/ Allocation of Staff Time/ Resources

Stephen Bannon said that the Selectboard spoke about a charter review and said if they choose to do a review, it should be part of the strategic plan so to allocate staff and resources. He said that they have not numbered the strategic plan items in the past, but there is a full plate currently.

Sean Stanton said that the Selectboard should decide how much they want to invest in the process of the charter review.

Kevin O'Donnell agreed that the strategic planning priorities may need numbering/ prioritizing. He is worried about quality with so much on his plate.

D. Discussion Re: Letter from Art Ames

Deb Phillips said that Art Ames has sent an e-mail that had several questions and concerns. One of the topics was how committees are supervised. Deb Phillips said that the Selectboard needs to look at how committees function under them.

Kevin O'Donnell said in regards to traffic related issues, Mr. Ames has spoken to the police chief already and improvements have been made.

In regards to the street lighting, Kevin O'Donnell told Mr. Ames that he needs to contact National Grid to put a light in and said that he will send a letter supporting this if needed.

Another topic addressed in the e-mail was snow removal. Kevin O'Donnell said that this was miscommunication. A private business was plowing into his property and he thought it was the Town.

Kevin O'Donnell said that he will draft a formal policy on how to address e-mails so people know how the Board handles these communications.

Deb Phillips said that the Board needs to create systems to address issues in a timely fashion.

Stephen Bannon said that this should go into the policies and procedures packet.

Stephen Bannon said that the Board has done a great job together and challenges the Board to do more. He said that the Town Manager provides them with a schedule of upcoming meetings and he challenges the Selectboard to attend 1 meeting a month.

Steve said that the parade was a great event and said that the Selectboard has to be careful to let anyone speak for the merchants as a whole, even by petition. He said that every merchant needs to speak for themselves.

Sean Stanton said that he appreciates Steve's encouragement about the meetings.

He also said that it has been great to see the e-mails coming to the Selectboard.

4. TOWN MANAGER'S REPORT:

Kevin O'Donnell gave an update on Rogers Rd. saying that there is a ZBA hearing coming up on September 8, 2011 on the Cease and Desist order issued by the Building Inspector to Gary O'Brien Property Services/GJO LLC for operating a landscaping yard. He said that a second Cease and Desist order was issued to O'Brien an affiliate of Rogers Trucking. An objection has not yet been filed.

Kevin O'Donnell said that the Police Chief has suggested that home owners should contact the police directly if there are noise complaints so they can proceed legally.

Kevin O'Donnell updated the Board on the sale of the old Fire Station. He stated that the Town Attorney sent out a purchase and sale agreement to the Buyer and heard no response. E-mails were also sent with no response. A response was finally received that the purchase and sale agreement went to 'junk mail' and was never viewed. Kevin is trying to schedule a meeting to move this forward.

Stephen Bannon asked Kevin O'Donnell to communicate that the Board is 'antsy' and to give September 1st as a deadline.

MOTION: Deb Phillips to set September 1st as a deadline for the purchase and sale agreement.

SECOND: Stephen Bannon

VOTE: 4-0

Kevin O'Donnell said that he has been elected as Chairman of the Transportation Advisory Committee and said that the Town will be able to tap into additional resources for the storm water project.

Kevin O'Donnell said that he and the Public Works Superintendent have moved on to the next phase of training as Chief Procurement officers.

5. CITIZEN SPEAK TIME: None

6. LICENSES OR PERMITS:

A. The Great Josh Billings Run Aground for permission to hold the 35th annual race on Sunday, September 18, 2011.

MOTION: Deb Phillips to grant permission for the race

SECOND: Stephen Bannon

VOTE: 4-0

Concern was raised about the road conditions between Simons Rock and the Alford Town line. Joe Sokul said that he will make sure that the road is safe for the event.

B. Berkshire Community Radio/ WBCR-LP/97.7FM for permission to close Elm Court on Saturday, August 27, 2011 from 8:00 AM. – 6:00 P.M.

MOTION: Deb Phillips to approve the closure of Elm Court

SECOND: Stephen Bannon

VOTE: 4-0

Joe Sokul will make sure that a 'road closed' sign is erected on Elm St.

C. Fairview Hospital's Recreation Association/Vicki Coons for permission to hold annual Monster Dash 5K running race/walk on Saturday, October 29, 2011 beginning at 9:30 A.M.

MOTION: Deb Phillips to approve the annual Monster Dash 5k running race/walk

SECOND: Alana Chernila

VOTE: 3-0-1 Stephen Bannon recused himself as he is an employee of Fairview Hospital

7. New Business:

A. BOS – Appointment of Historical Commission member

MOTION: Stephen Bannon to appoint Malcolm Fick as a member to the Historical Commission for a term to expire June 30, 2012

SECOND: Deb Phillips

VOTE: 4-0

B. BOS – Appointment of Alternate Member to Downtown parking task force

MOTION: Deb Phillips to approve Denis Guyer as the alternate member for Sharon Gregory of the parking task force

SECOND: Stephen Bannon

VOTE: 4-0

C. BOS – Revisions to Wired West Municipal Lighting Plant Certification

MOTION: Stephen Bannon to designate the Town Manager as the Manager of the Great Barrington Lighting Plant Department

SECOND: Deb Phillips

VOTE: 4-0

MOTION: Stephen Bannon moves that the Selectboard votes to join the Wired West Cooperative Corporation

SECOND: Deb Phillips

VOTE: 4-0

MOTION: Stephen Bannon to designate Kevin O'Donnell as its delegate to Wired West

SECOND: Deb Phillips

VOTE: 4-0

MOTION: Stephen Bannon to designate Bob O'Haver as alternate delegate to Wired West

SECOND: Deb Phillips

VOTE: 4-0

MOTION: Stephen Bannon that the Manager is hereby authorized and directed to execute any and all documents necessary to effectuate the purposes of these votes

SECOND: Deb Phillips

VOTE: 4-0

MOTION: Stephen Bannon that any actions previously taken by the Manager which are consistent with the purpose with these votes are hereby ratified and confirmed

SECOND: Deb Phillips

VOTE: 4-0

D. Options Re: Transfer Center Operation

Kevin O'Donnell recapped the services currently offered by the Transfer Station.

He suggested that there be a call for volunteers to run the swap shop. He also suggested that the 'per bag' charge should be raised to bring in enough money to be self supporting.

Sean Stanton replied that he is concerned about the change in cost.

Alana Chernila said that there are poor hours of operation currently. She said that no one wants to use the dump because they can't pay at the dump and Town Hall is closed on the weekends to accept payment. She added that second homeowners can't use the dump because it's not open on Sunday. She suggested an overhaul of the dump in regards to hours and cost. She said that this should be high on the priority list. Sean Stanton replied if it can be done better by creating a swap shack, better hours, more recycling, etc. it can be looked at as a business not a service.

Alana Chernila said that it must be open on Sunday and payment should be accepted.

Kevin O'Donnell said that he would look into the possibility of accepting cash or check.

Joe Sokul said that he will put together a proposal and bring it back to the Board.

E. BOS – Recommendation to the Building Inspector on the Pittsfield Cellular Telephone Company D/B/A Verizon Wireless application for a building permit.

MOTION: Deb Phillips to support Planning Board proposal to extend the comment period to 30 days

SECOND: Stephen Bannon

VOTE: 4-0

8. Selectmen's Time:

Alana Chernila thanked Anne Just for her service to the Libraries.

9. Media Time: Eileen Mooney asked if the Attorney General approved all the by-laws from the Town Meeting.

Kevin O'Donnell responded that he did, without comment

10. ADJOURNMENT:

On a motion by Deb Phillips, seconded by Alana Chernila, the Board adjourned its meeting at 8:50 p.m.

Respectfully submitted,



Cara Becker
Recording Secretary