

**TOWN OF GREAT BARRINGTON
SELECTMEN'S MEETING
MINUTES
MONDAY, SEPTEMBER 26, 2011
6:00 P.M. – REGULAR SESSION BOARD ROOM**

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

6:00 P.M. – PUBLIC SISSION – BOARD ROOM
- General Discussion with Town Attorney

1. CALL TO ORDER:

Sean Stanton called the meeting to order at 6:00 P.M.

Sean Stanton said that the Board wanted to meet with the Town Attorney and speak about the interactions between the Board, Town Manager, and Town Counsel.

David Doneski said that more discussion and interaction between the Board and Town Counsel is needed. He said that the relationship can take many forms; every Town is different. He said that regular communication seems to be needed.

Mr. Doneski said that it would be appropriate to begin discussions about any pending legal matters which can be done quarterly. He added that it can also be done more frequently, if needed.

Mr. Doneski said, in order to create a sense of familiarity and confidentiality, periodic office hours should be created to discuss any pending questions that may arise.

Deb Phillips said that the one question that gets caught in the greater communication topic is that of cost. She said that it is hard to balance the two.

David Doneski responded that they could meet 2 or 3 times a year. He said that there may be times that it isn't needed.

Andrew Blechman asked what the legal budget is each year.

Kevin O'Donnell replied that it is \$40,000 – \$50,000 a year. He said that they have been spending under this amount by being more judicious in using Town Counsel.

Andrew Blechman asked if Kopelman and Paige have a policy not to charge for phone calls from Selectmen.

Mr. Doneski replied that Mr. Kopelman personally will take phone calls from Selectmen at times.

Andrew Blechman asked what the cost is of travel time and asked Mr. Doneski to tell the Board why they should pay someone to come from Boston.

Mr. Doneski replied that it takes 4 hours (plus or minus) and we are not charged for 3. He said the Board should use his firm because they have the most experience in the field and can offer specialized advice.

Alana Chernila said that the legal budget is going down and asked if this coincides with the policy that communication comes from the Town Manager only.

Kevin O'Donnell responded that this policy was in effect before he came to office.

David Doneski said that most towns communicate through the Town Manager or administrator. The smaller communities go through the chair.

Kevin O'Donnell said that the policy states that all communication with Town Counsel has to come through the Town Manager. The policy can be changed. Kevin said that he will put it on the next agenda for discussion.

Steve Bannon said that he prefers to see things in writing and said that the town counsel could do more of this.

Alana Chernila said that it has been a recent development that there are written quarterly updates. She said that this is very helpful. She said that she would like to continue in this direction. Alana said that more recorded communications to the Board will make them feel easier.

Kevin O'Donnell said that he would like to begin a multi-tiered system in dealing with bigger issues. It may take 2 or 3 steps until final approval. Another idea Kevin suggested is 'Off Mondays' in which they would schedule workshops to discuss in detail the bigger issues which can then be voted on during regular board meetings. Kevin O'Donnell said that he recommends the first option in which the board can be updated on the bigger issues at regular board meetings in more detail.

Steve Bannon said that the Board needs to look at the policy and procedures in regards to how the Board wants to interact with town counsel.

Alana Chernila said that additional services are extra money but if the Board functions better, they will save money. She also said that a lot has happened at the last Town Meeting and it would be helpful to have a meeting before the next to go through the questions that may arise.

David Doneski said that he will be at the next town meeting.

Andrew Blechman asked if the Board can be cc'd on communications with town counsel.

Mr. Doneski replied that E-mails are not easy to 'cc' due to open meeting laws and discourages cc'ing all members of the board. He said that he would consider cc'ing the chair.

6:30 P.M. – EXECUTIVE SESSION – TOWN MANAGER CONFERENCE ROOM
-CONTRACT NEGOTIATIONS (M.G.L. c.30A, sec21(a)6.)

MOTION: Steve Bannon to adjourn to executive session to consider the purchase/exchange/lease or real value of property and to convene to open session.

SECOND: Deb Phillips

ROLL CALL VOTE:

STEPHEN BANNON – yes

ANDREW BLECHMAN – yes

ALANA CHERNILA – yes

DEB PHILLIPS – yes

SEAN STANTON – yes

VOTE: 5-0

7:00 P.M. – PUBLIC SESSION – BOARD ROOM

1. CALL TO ORDER:

Sean Stanton called the meeting to order at 7:10 P.M.

2. APPROVAL OF MINUTES

September 7, 2011 Joint Meeting

MOTION: Deb Phillips to approve minutes from the September 7, 2011 Joint Meeting

SECOND: Steve Bannon

VOTE: 5-0

September 12, 2011 Regular Meeting

MOTION: Deb Phillips to approve minutes from the September 12, 2011 Regular Meeting as amended

SECOND: Steve Bannon

VOTE: 5-0

September 14, 2011 Regular Meeting
MOTION: Deb Phillips to approve minutes from the September 14, 2011 Regular Meeting
SECOND: Steve Bannon
VOTE: 5-0

September 14, 2011 Joint Meeting
Tabled until next meeting

3. SELECTMEN'S ANNOUNCEMENTS/STATEMENTS:

Alana Chernila said that she has received an E-mail from someone about 'see-click-fix.' Alana said that many municipalities are using this as a reporting mechanism for fixing things. (Ex. Reporting graffiti or potholes) Alana said that she will forward this information to Joe Sokul and the Board.

Alana Chernila said that she has received an E-mail from James Clark who heard that the Selectmen are looking for services around surveying the Housatonic Campus. She said that she has forwarded this E-mail to the Town Planner and the Town Manager. She said it was great to hear from him.

4. BOS and ZBA – JOINT APPOINTMENT OF ASSOCIATE MEMBER

Joint Vote

MOTION: Deb Phillips to appoint John Katz as the associate member of the ZBA

SECOND: Steve Bannon

VOTE: 5-0

VOTE – 5-0 ZBA (Michael Wise, Ron Majdalany, Don Hagberg, Kathy Kotleski, and Carolyn Ivory)

5. TOWN MANAGER'S REPORT:

A. Library Trustees Update –

Holly Hamer thanked the Board for taking steps to appoint Jessica Magelaner as the interim Library Director. Holly said that the guidelines for senior citizen property tax work-off abatement program have been changed by the Town Manager to the detriment of the Library Trustees and the seniors. She said that this is part of the Mass. General Law and asked why there was an amendment without the Selectmen's knowledge. Sean Stanton said that he will look into it.

6. CITIZEN SPEAK TIME:

Bud Atwood – 370 Maple Ave.

Bud Atwood said in the past, the Assistant Library Director was there to step up in the case that the Director was not available or sick. He said that he didn't know that now the assistant would be promoted after 2 months. He thinks this is 'nuts' and added that it is the Town Managers job to appoint the Director, not the Selectmen.

Mr. Atwood also said that he didn't know that volunteers are paid and said that this is strange. (Speaking of the property tax work-off abatement program)

Ron Blumenthal – head of friends and only non-voting member of the search committee.

Ron said that it was gutsy of the Board to open up the process and appoint him.

He said, prior to the meeting, it took a lot of convincing to get the chair of the search committee to consider re-advertising for the Library Director position. He feels that this is a giant step in the right direction.

Ron said that the Mason and Ramsdell Libraries are under utilized and under exposed assets to the town. They are the main assets and should be treated as such. He feels that these entities can be revenue drivers for the Town. He suggested that they should not rush into hiring a new Director since the library is running smoothly at this point. Ron said that the search committee has little diversity and he hopes if there is need to expand that the Board will draw from a wider group and more diverse group.

David Magadini presented a petition that he is circulating in Great Barrington to extend voting hours in Great Barrington. He said that he has many signatures on the petition and asked the Board to sign as well.

No one on the Board signed the petition.

7. LICENSES OR PERMITS:

A. Massachusetts Electric Company, D/B/A National Grid and Verizon New England, Inc. for permission to locate pole along the following public way: Crissey Road – at point approximately 617 feet east of the centerline of the intersection of Stockbridge Road.

MOTION: Deb Phillips to approve pole location

SECOND: Steve Bannon

VOTE: 5-0

B. GREAT BARRINGTON FISH AND GAME FOR ONE DAY BEER AND WINE LICENSE FOR OCTOBER 1, 2011 FROM 2:00 P.M. – 8:00 P.M. AT LONG POND ROAD.

MOTION: Deb Phillips to approve license

SECOND: Steve Bannon

VOTE: 5-0

C. BERKSHIRE SOUTH REGIONAL COMMUNITY CENTER/MELISSA HIGGINS FOR ONE DAY ALL ALCOHOLIC LIQUOR LICENSE FOR SATURDAY, OCTOBER 22, 2011 FROM 5:00 P.M. – 10:30 P.M. AT BERKSHIRE SOUTH COMMUNITY CENTER, 15 CRISSEY ROAD.

(FEE WAIVER REQUESTED)

MOTION: Deb Phillips to approve license with no fee waiver

SECOND: Steve Bannon

Motion Withdrawn by Deb Phillips and Second withdrawn by Steve Bannon.

There was discussion among the Board about their decision not to grant fee waivers. All agree that it is necessary to make this decision formal before acting upon it.

Sean Stanton said that the next agenda should include the discussion about fee waivers so they can make a formal decision.

MOTION: Deb Phillips to approve license with fee waiver as requested

SECOND: Steve Bannon

VOTE: 5-0

8. Old Business

A. BOS TO REVIEW OPTIONS PROPOSED BY THE HOUSATONIC SCHOOL CAMPUS TASK FORCE.

Kevin O'Donnell said that the Board decided at the last meeting to review the options given by the Housatonic School Campus Task Force in order to give him clearer direction to move forward.

Steve Bannon said that he wants to see the estimated cost for all options first.

Deb Phillips replied that she thought that the Board could look at the options and get rid of the things that should not be considered. She felt that this was a way to begin looking at things.

Steve Bannon said that they should look at the cost analysis to bring the building up to code that was done by the school district and see what grant money is available to keep the cost low. He said this should be done quickly.

Sean Stanton said that the Housatonic Task Force has given the Selectboard clear direction as to what they are to do. He suggested removing the option of razing the building.

Deb Phillips said that she is not ready to take this option off the table.

MOTION: Andrew Blechman to take 'razing the building' off the table

Motion Failed due to no second

Sean Stanton said that the survey done by the task force showed that taking down the building was not popular.

MOTION: Steve Bannon to take the recommendations of the Task Force and develop the financial analysis associated with each option of the community partnership and private/public partnership, source of financing possibilities, consider implication of the continued Town ownership and resource allocation and incorporate the recommendation of the Task Force into the master plan.

SECOND: Deb Phillips

VOTE: 5-0

Kevin O'Donnell said that he will contact James Clark about this project. He said that he will use this as a big issue item that he will break up into smaller increments to present to the Board. He will give ongoing updates to be discussed and approved by the Board.
The Board agrees.

B UPDATE – MONUMENT MILLS/ STEVE MUSS

Mr. Muss said that he was given the challenge to meet with Mr. Kelly and he announced that he did have that meeting. He said the meeting was very cordial and positive. Mr. Muss said that his lawyers have presented papers to Mr. Kelly's lawyers and he has not received a response yet. He also asked Mr. Kelly to share his plans with him and hasn't gotten a response in regards to this either.
Mr. Muss said that he hopes to have a plan to present at the Selectmen's next meeting.

Stefan Greene- architect for Nick Kelly

Mr. Greene said Mr. Muss and Mr. Kelly are in negotiations to come up with an agreement of cooperation toward the development of the Mills. He said that he has assembled a team who are focused on plans for Mr. Kelly's mills which are in the conceptual stage. He hopes to present the plans shortly and appreciates Mr. Muss and the Boards patience. They look forward to collaborating on the Mills.

9. New Business:

A. MICHAEL THOMAS RE: ECLECTIC TRASH CONTAINERS

Michael Thomas recapped the need for new trash containers in town. He said that they will need to focus on the function of the containers. Mr. Thomas is willing to do R & D on the shape, size, and materials needed. He said that he would like to involve local designers in the project, however, he will explore outside options as well. He will submit a cost and feasibility study soon. Mr. Thomas said that the cost would be approximately \$60,000 - \$70,000 for 20 -25 units.

Steve Bannon said if 20 businesses sponsored one or one-and-a-half units, the cost would be covered.

Mr. Thomas replied that he is willing to apply for grants and feels that \$30,000 could be raised.

MOTION: Steve Bannon to endorse the concept of the trash containers

SECOND: Deb Phillips

VOTE: 5-0

B. BOS – SET HALLOWEEN TRICK OR TREAT DATE AND TIME

MOTION: Deb Phillips that Halloween trick or treating will be on Oct. 31 from 5:30pm – 7:30pm.

SECOND: Steve Bannon

VOTE: 5-0

C. BOS – DISCUSSION OF UPCOMING MEETINGS IN THE FOLLOWING MONTH

The BOS meeting on October 24 has been changed to Tuesday Nov. 1st

Bud Atwood said that there is a parking task force meeting tomorrow.

10. Selectmen's Time:

Sean Stanton said that one member of the Library Search Committee has decided not to participate, so they will need another person to fill the spot. He said that former Selectmen, Peter Fish said that he would like to participate.

There was discussion about the need for more diversity on the search committee and the need for a younger member. It was determined that they did not want to wait to appoint someone else.

MOTION: Andrew Blechman to nominate Peter Fish for the Library Search Committee

SECOND: Steve Bannon

VOTE: 3-2 (Deb Phillips and Alana Chernila against)

11. Media Time:

Eileen Mooney asked about the status of the Castle St Fire House.

Sean Stanton responded that they are in negotiations.

12. ADJOURNMENT:

On a motion by Deb Phillips, seconded by Alana Chernila, the Board adjourned its meeting at 8:20 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Cara Becker". The signature is written in a cursive, flowing style.

Cara Becker
Recording Secretary