

**TOWN OF GREAT BARRINGTON  
SPECIAL MEETING OF THE BOARD OF SELECTMEN  
MINUTES  
WEDNESDAY, SEPTEMBER 4, 2013  
12:15 P.M. – TOWN HALL**

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

**ABSENT- DANIEL BAILLY**

**12:15 PM – PUBLIC SESSION – BOARD ROOM**

**1. CALL TO ORDER**

Sean Stanton called the meeting to order at 12:20 P.M.

**2. MAIN STREET RECONSTRUCTION PROJECT- ACCEPTANCE OF EASEMENTS/ORDER OF TAKING.**

Joseph Sokul, Public Works Superintendent, Town of Great Barrington reported that this meeting is convened to request that the Board of Selectman approve the Order of Taking for the following interests in land including:

1) Permanent easements for public sidewalk purposes, including the right to install, inspect, maintain a, repair, replace, alter and replicate public sidewalks, drainage, fencing, handicap ramps, roadways, iron gates, building entrances, walls, sloping, landscaping and drainage. These sidewalk parcels are adjacent to buildings along Main Street and will be areas reconstructed as part of the Main Street reconstruction project.

2) Temporary construction easements for the purpose of constructing the Project and for all uses incidental, including without limitation, constructing sidewalks, landscaping, slopes, drainage, handicap ramps and drives, walkways, paving, storage, building entrances, signs, erosion control, construction material and other incidental items. These parcels area areas that the Town will need access to, at various points of time, during the construction phase of the project only.

**Discussion:**

**Deb Phillips** asked Joe to explain why there were some owners that did not voluntary donate an easement to the Town. Joe Sokul explained that most owners did donate to the Town, but there were a few owners who had legal counsel that did not get back to the Town and others who didn't return the paper work. Joe also added that if an owner wants to donate their easement, they are still able to forgo the damages.

Andrew Blechman asked how the damages were determined. Joe explained that the Town was required to hire an appraiser who determined the assessed value of the parcels, mostly sidewalks. The range in amount of damages awarded reflect that many are temporary easements for only three years and some of the permanent easements were much smaller than other areas of the sidewalk.

Sean commented that Town Meeting approval is needed for emanate domain, which is when the Town would own the property. But that this action is an order of taking for an Easement and the property will not be owned by the Town. Town Meeting in May 7, 2012, authorized the Board of Selectman to seek needed easements for the Main Street Project.

**Andrew Blechman** asked what the alternative would be if this did not pass. Jennifer explained that this process is required so that the State can reconstruct the sidewalks and if there are no easements on the sidewalk then the project would not be able to be bid.

**MOTION:** Deb Phillips to accept the Order of Taking

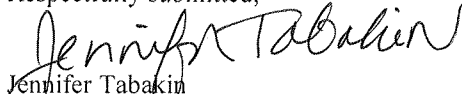
**SECOND:** Stephen Bannon

**VOTE:** 4-0

**3. ADJOURNMENT:**

On a motion by Deb Phillips, seconded by Stephen Bannon, the Board adjourned its meeting at 12:40 P.M.

Respectfully submitted,

  
Jennifer Tabakin  
Town Manager