

**TOWN OF GREAT BARRINGTON
SELECTBOARD'S MEETING
MINUTES
WEDNESDAY, MAY 18, 2016
7:00 P.M. - REGULAR SESSION
TOWN HALL**

PRESENT: ED ABRAHAMS
DANIEL BAILLY
STEPHEN BANNON
BILL COOKE
SEAN STANTON

JENNIFER TABAKIN, TOWN MANAGER

7:00 PM – OPEN MEETING

1. CALL TO ORDER: Town Manager, Jennifer Tabakin called the meeting to order at 7:00 PM.

2. REORGANIZATION:

A. Welcome and Congratulations to Newly Elected Selectboard.

The Town Manager congratulated the Selectboard members that were re-elected, Sean Stanton and Dan Bailly.

B. Election of Chair and Vice Chair.

MOTION: Steve Bannon to appoint Sean Stanton as Chair

SECOND: Ed Abrahams

VOTE: 4-0-1 Sean Stanton abstains

MOTION: Dan Bailly to appoint Steve Bannon as Vice Chair

SECOND: Ed Abrahams

VOTE: 4-0-1 Steve Bannon abstains

3. APPROVAL OF MINUTES:

March 28, 2016 Selectboard/Finance meeting minutes

MOTION: Steve Bannon to approve the March 28, 2016 Regular Meeting minutes as amended.

SECOND: Dan Bailly

VOTE: 5-0

May 2, 2016 Regular Meeting.

MOTION: Steve Bannon to approve the May 2, 2016 Regular Meeting minutes.

SECOND: Dan Bailly

VOTE: 5-0

May 9, 2016 Special Meeting.

MOTION: Steve Bannon to approve the May 9, 2016 Special Meeting minutes.

SECOND: Dan Bailly

VOTE: 5-0

4. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS:

A. General Comments by the Board.

Bill Cooke would like the BRTA to come and does a presentation about their test express service bus that has been running. The Selectboard needs to decide if they want to continue this express service.

This item will be put on a future agenda.

B. Discussion of Upcoming Meeting Calendar.

The Meeting calendar was presented to the Selectboard.

5. TOWN MANAGER'S REPORT:

The Town Manager welcomed the new recording secretary, Rebecca Jurczyk and thanked Cara Becker for her years of service.

Jennifer Tabakin said that last week was a memorable one.

She thanked all for honoring Officer Ryan Storti. She said that the strength and caring of the community was evident and this showed Great Barrington at its best.

6. LICENSES OR PERMITS:

- A. Luisa Trabka/Railroad Street Youth Project for One Day Sunday Entertainment License for June 12, 2016 from 3:00 PM – 8:00 PM in the skate park behind the Schneider Youth Building. (Discussion/Vote)

MOTION: Steve Bannon to approve the license noting the DRT recommendations.

SECOND: Dan Bailly

VOTE: 5-0

- B. Benjamin Downing/Shackdown, Inc. d/b/a 20 Railroad Public House for 2016 Weekday Entertainment License at 20 Railroad Street. (Discussion/Vote)

MOTION: Steve Bannon to approve the license

SECOND: Dan Bailly

VOTE: 5-0

- C. Benjamin Downing/Shackdown, Inc. d/b/a 20 Railroad Public House for 2016 Sunday Entertainment License at 20 Railroad Street. (Discussion/Vote)

MOTION: Steve Bannon to approve the license.

SECOND: Dan Bailly

VOTE: 5-0

- D. David J. Barrett/Mahaiwe Performing Arts Center for permission to put up temporary decorations in the Pedestrian Tunnel on July 18th, 2016 for the Annual Gala. (Discussion/Vote)

Dan Bailly suggested that the applicant send a letter to the Historic District Commission to let them know.

MOTION: Steve Bannon to grant permission

SECOND: Dan Bailly

VOTE: 5-0

E. David J. Barrett/Amy Rudnick/Mahaiwe Performing Arts Center for One Day Weekday Entertainment License for Monday, July 18, 2016 as follows:

- 5:30 PM – 6:00 PM - 5 piece jazz band outdoors under a tent at the Old Train Station.
- 9:30 PM – 10:00 PM - Berkshire Highlanders bagpipers outside on Castle Street directly in front of the theatre. (Discussion/Vote)

MOTION: Steve Bannon to approve the license

SECOND: Dan Bailly

VOTE: 5-0

F. Amy Rudnick/Mahaiwe Performing Arts Center for One Day All Alcoholic Liquor License for Monday, July 18, 2016 from 5:00 PM – 8:00 PM at GB Train Station, 46 Castle Street. (Discussion/Vote)

MOTION: Steve Bannon to approve the license

SECOND: Dan Bailly

VOTE: 5-0

7. NEW BUSINESS:

A. SB – To award bonds for the re-financing of the Fire Station Bonds.
(Discussion/Vote)

Lauren Sartori-Hobgood announced that the town's bond rating was upgraded to AAA making Great Barrington the first town in Berkshire County to achieve such a rating. She said that all Boards should be commended.

Jennifer Tabakin thanked Lauren for her work on this bond.

The Fire Station bond was refinanced, which results in \$620,000 in savings.

MOTION: Steve Bannon - I, the Clerk of the Select Board of the Town of Great Barrington, Massachusetts (the "Town"), certify that at a meeting of the board held May 18, 2016, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: That in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund all or a portion of the Town's \$8,300,000 General Obligation Fire Station Bonds dated June 15, 2007 maturing in the years 2020 through 2027, inclusive (collectively, the "Refunded Bonds"), and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the Refunded Bonds and costs of issuance of the refunding bonds.

Further Voted: that the sale of the \$5,021,000 General Obligation Municipal Purpose Loan of 2016 Bonds of the Town dated May 26, 2016 (the

“Bonds”), to Roosevelt & Cross, Inc. at the price of \$5,490,134.22 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on June 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2017	\$181,000	4.00%	2023	\$440,000	4.00%
2018	585,000	4.00	2024	435,000	2.00
2019	585,000	4.00	2025	425,000	2.00
2020	575,000	4.00	2026	415,000	2.00
2021	575,000	4.00	2027	365,000	2.00
2022	440,000	4.00			

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 6, 2016, and a final Official Statement dated May 16, 2016 (the “Official Statement”), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: to authorize the execution and delivery of a Refunding Escrow Agreement to be dated May 26, 2016, between the Town and U.S. Bank National Association, as Refunding Escrow Agent.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that we authorize and direct the Town Treasurer to review and update the Town’s post-issuance federal tax compliance procedures in consultation with Bond Counsel, and to make such changes, if any, that are necessary to monitor and maintain the tax-exempt status of the Bonds.

Further Voted: that each member of the Select Board, the Town Clerk, the Town Accountant and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

SECOND: Dan Bailly
VOTE: 5-0

B. SB – Recommendation to the Planning Board on the Special Permit Application of Consulting and Design, LLC as agent for Great Barrington Sunoco (Hindustan Corporation) for a new free standing sign at 190 State Road. (Discussion/Vote)
Parker Finley representing Consulting & Design, LLC for Hindustan explained that the sign was destroyed after a motor vehicle hit it.
The previous sign did not comply with regulations and they are trying to conform the new sign to regulation. There is only one sign available for free through Sunoco and it is slightly larger than regulation.
Sean Stanton said that the insurance of the person who hit the sign should pay for a custom sign that is the right size.

MOTION: Steve Bannon to send a negative recommendation to the Planning Board with the reasons as noted in the memo from Town Planner, Chris Rembold.
SECOND: Dan Bailly
VOTE: 5-0

C. SB – Waiver of Option to Purchase 1.084 parcel owned by Seekonk Round Hill Realty, LLC encumbered by a Chapter 61Agricultural Tax Lien.
(Discussion/Vote)
MOTION: Steve Bannon to waive the option to purchase
SECOND: Dan Bailly
VOTE: 5-0

D. SB – Set date, time and place for Special Town Meeting. (Discussion/Vote)
MOTION: Steve Bannon to set the Special Town Meeting for 6/13/16 at 6:00 PM at Monument Mountain High School in the auditorium.
SECOND: Dan Bailly
VOTE: 5-0

MOTION: Steve Bannon to open the warrant
SECOND: Dan Bailly
VOTE: 5-0

MOTION: Steve Bannon to put article 7 from previous Town Meeting - To see if the Town will vote to raise and appropriate or transfer from available funds the sum of

Thirteen Million, Eight Hundred Twenty Seven Thousand, Two Hundred and Thirty Four Dollars (\$13,827,234.00) for the operating assessment, and Six Hundred Thirty Six Thousand One Hundred Sixty Five Dollars (\$636,165.00) for the capital assessment, for a total assessment of Fourteen Million, Four Hundred Sixty Three Thousand, Three Hundred and Ninety Nine Dollars (\$14,463,399.00) of the Berkshire Hills Regional School District, or take any other action relative thereto.

SECOND: Dan Bailly

VOTE: 5-0

Jennifer Tabakin gave out a summary of the process from Town Counsel and read portions.

Chip Elitzer – 39 Alford Rd.

Mr. Elitzer said that the Selectboard was given a copy of Article 1 which is on the Annual Town Meeting. This article will seek legislative action so all towns will be required to pay the same amount to the school district. There are other towns that already do this. Mr. Elitzer said that a unified rate is the most efficient. He said that the ultimate authority is Town Meeting and the town spoke clearly with their vote.

Superintendent Peter Dillon said that he can't infer the intent of the voters.

He said that the Regional Amendment Committee (RAC) is optimistic that they will reach a resolution. He said that the RAC should be given time to do their work.

Superintendent Dillon said that the Article proposed has to go to the legislative level, who does not support this.

Marsha Weiner- 9 Monument Valley Rd.

Ms. Weiner asked why the Selectboard would not want to get the other towns to the table about a unified tax rate.

The Selectboard responded that they have and explained the RAC.

Ms. Weiner asked what the objection is to saying that we want a unified rate with another vote.

Steve Bannon responded that Article 1 needs to go to the legislature and won't be approved.

Ed Abrahams responded that last year the voters voted to create the RAC under Article 30 and he said that the Selectboard is following their request.

Jeffrey House- Hurlburt Rd.

Mr. House said that other towns may give a little, but will never agree to be equal. 'If we don't make our voices heard at the State level then nothing will be done. We need to hold our representatives feet to the fire.'

Vivian Orlowski said that she supports education and feels that it is important to teach through actions. She said that voting is how people speak and we should listen to the voters and respect those who propose things different than what we may want.

Elizabeth Orenstein read a letter from a group on this topic.

Jennifer Tabakin said that having a school district is fundamentally important. It is not easy to have 3 towns come together. She said that we need to listen to all ideas and suggestions.

Jennifer said in order to get the district set up for the future, we need to collaborate with other towns, the Commissioner of Education and local officials. She recommends that we look at all options; not getting locked into 1 way to achieve the goals we have set forth.

Sean Stanton said that the voters have said that this is what they want, but he feels that both processes can be followed side by side.

Steve Bannon replied that he is not totally against Mr. Elitzer's proposal, but he is against the timing. Steve said the he feels that we need to continue the RAC process and then a decision can be made about the proposal at a later time.

Dan Bailly said that the RAC process is still needed to clarify certain items. Dan invited comments or suggestions be E-mailed to him, as a member of the RAC.

Chip Elitzer said that he supports RAC but said that a 2 track approach can be adopted.

MOTION: Steve Bannon to close the warrant

SECOND: Dan Bailly

VOTE: 4-1 Sean Stanton against

8. OLD BUSINESS: None

9. CITIZEN SPEAK TIME:

Ilana Steinhauer spoke about a program that VIM has begun; treatment of their patients for pain without the use of opioids. They are using an integrative approach with acupuncture, therapeutic massage and nutrition. The patient's ability to function and satisfaction with life is high with this form of treatment. VIM has partnered with BMC and started a PILOT program for the county to help manage the chronic pain patients and patients with substance use disorders to allow primary care providers to have another approach to these patients. This is a very exciting step and there are hopes that this PILOT program will move to North County as well.

10. SELECTBOARD'S TIME: None

11. MEDIA TIME: Derek Gentile asked when the elevator will be repaired. The Town Manager said that this will be followed up on immediately.

12. ADJOURNMENT:

On a motion by Steve Bannon, seconded by Dan Bailly, the Board adjourned its meeting at 8:25 P.M.

Respectfully submitted,



Cara Becker
Recording Secretary