

SELECTBOARD'S MEETING MINUTES

MONDAY, AUGUST 14, 2017

7:00 PM – REGULAR SESSION

TOWN HALL, 334 MAIN STREET

7:00 PM - OPEN MEETING

1. CALL TO ORDER

Chairman Sean Stanton called the meeting to order at 7:00PM.

2. APPROVAL OF MINUTES:

June 12, 2017 Regular Meeting.

MOTION: Steve Bannon motioned to approve the June 12, 2017 Regular meeting Minutes.

SECOND: Dan Bailly

VOTE: 5-0

June 26, 2017 Regular Meeting.

MOTION: Steve Bannon motioned to approve the June 26, 2017 Regular meeting Minutes.

SECOND: Dan Bailly

VOTE: 5-0

July 10, 2017 Regular Meeting.

MOTION: Steve Bannon motioned to approve the July 10, 2017 Regular meeting Minutes.

SECOND: Dan Bailly

VOTE: 5-0

3. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS:

A. General Comments by the Board.

4. TOWN MANAGER'S REPORT:

A. Department Update

- Attorney General approved the Town Meeting bylaws. There will be an Open Meeting Law training on October 17, 2017 at Town Hall.
- Mass D.O.T approved Great Barrington's Complete Streets Policy.
- Sunday hours at Ramsdell have commenced, the library is open from 1-4PM on Sundays.
- The Health Department reports that levels of E. Coli for Lake Mansfield and the Green River have been extremely low and safe for swimming all season.
- 85 people attended the Senior Center Variety Show. There are many upcoming trips and activities that are planned at the Senior Center. The Town Manager encouraged folks to stop by and inquire about these activities.

- Thank you to DPW for the painting of the Gazebo, additional landscaping will be installed around the Gazebo
- New flagpole put up at the GB bush
- Trees at Housatonic playground have been planted
- Bids are being prepared for the Police Station Roof
- Welcome to Joe Decker a new laborer for DPW
- The downtown Police bicycle patrol has started up
- Thank you to DJ of the Fire Department who repaired the brush truck and saved the Department from having to pay for repairs
- The WWTP phase two has reached completion. Congratulations to a job really well done.

5. PUBLIC HEARINGS:

A. SB TO CONVENE AS SEWER COMMISSIONERS – To Set Sewer Rates for FY 2018.
(Discussion/Vote)

MOTION: Steve Bannon motioned to convene as Sewer Commissioners.

SECOND: Dan Bailly

VOTE: 5-0

a. Open Public Hearing

MOTION: Steve Bannon motioned to open the Public Hearing.

SECOND: Dan Bailly

VOTE: 5-0

b. Explanation of Project

DPW Superintendent, Sean Van Deusen. The Waste Water Treatment Plant project has left 11 million in debt. Mr. Van Deusen is recommending a 10% rate increase for the users of the GB Public Sewer System. Each rate payer will have a \$46.00 increase to their sewer fees this year and will have a subsequent 10% increase for the next five years. This rate increase is needed to cover the costs of the significant upgrades to our Waste Water Treatment System that were just completed.

Steve Bannon asked if any Free Cash will be used to offset these costs. Town Manager Jennifer Tabakin said that when they looked into a variety of options the best outcome was for the rate payers to have a reasonable rate increase over a length of time. This way it wasn't a large and unaffordable cost for the rate payers.

Mr. Van Deusen emphasized that in comparison to the surrounding towns, Great Barrington's rates will still be lower than average when these rate increases take effect. He thanked the WWTP Superintendent Tim Drumm for his skilled work, which have kept the rates low for so long.

c. Speak in Favor/Opposition

d. Motion to Close Public Hearing

MOTION: Steve Bannon motioned to close the Public Hearing.

SECOND: Dan Bailly

VOTE: 5-0

e. Motion re: Findings

MOTION: Steve Bannon motioned that the Selectboard acting as the Sewer Commissioners approve the rates set for \$506.00 per EDU for Calendar 2018.

SECOND: Dan Bailly

VOTE: 5-0

f. Motion re: Approval/Denial/Table

MOTION: Steve Bannon motioned to reconvene as members of the Selectboard.

SECOND: Dan Bailly

VOTE: 5-0

B. FY 2018 Tax Classification Hearing. (Discussion/Vote)

a. Open Public Hearing

MOTION: Steve Bannon motioned to open the Public Hearing.

SECOND: Dan Bailly

VOTE: 5-0

c. Explanation of Project

Chris Lamarre, Town Assessor. Mr. Lamarre specified that the class classification will not change the Tax Levy capacity. A vote to grant discounts or exemptions to specific property classes will result in a higher tax rate for non-qualifying property owners as the tax burden is shifted away from the exempted recipients. A vote in favor of more than one option will result in different property classes. The classifications are: Open Space Discount, Residential Exemption, Small Commercial Exemptions, and Single or Split Tax rate. The total taxable value for the Town of Great Barrington is \$1,440,219,751.00 for a single tax rate the rate for FY18 is \$14.98 per \$1,000.00 of property value.

d. Speak in Favor/Opposition

Sharon Gregory, Hollenbeck Drive. Ms. Gregory asked if in FY18 there was no new growth and we increased our spending by 1.5Million would Great Barrington reach its levy limit? Mr. Lamarre said that is correct.

e. Motion to Close Public Hearing

MOTION: Steve Bannon motioned to close the Public Hearing.

SECOND: Dan Bailly

VOTE: 5-0

f. Motion re: Findings

MOTION: Steve Bannon motioned to maintain a residential factor of one, thereby affirming a single tax rate and a proportionate sharing of the tax levy between all classes of property and to set the tax rate at \$14.98 per 1,000.

SECOND: Dan Bailly

VOTE: 5-0

g. Motion re: Approval/Denial/Table

MOTION: Buddy Atwood motioned to convene as the Fire District Prudential Committee.

SECOND: Robert Avery

VOTE: 4-0

MOTION: Mr. Atwood motioned to approve a tax classification of \$1.00

SECOND: Robert Avery

VOTE: 4-0

C. Emprimo Limited Liability Co./Drake Petroleum (South Main Mobil) to amend the existing license to increase capacity for keeping, storage of crude petroleum or any of its products or explosive or inflammable fluids or compounds in accordance with Chapter 148, Sections 9 and 13 of the Massachusetts General Laws at 696 Main Street, Great Barrington, MA 01230. (Discussion/Vote)

a. Open Public Hearing

MOTION: Steve Bannon motioned to open the public hearing.

SECOND: Dan Bailly

VOTE: 5-0

b. Explanation of Project

Larry Webster, representing Emprimo Limited Liability/Drake Petroleum. Mr. Webster informed the Selectboard that the underground petroleum tanks at 696 Main Street have expired and need to be replaced. Mr. Webster is requesting that the storage capacity is

increased to accommodate larger tanks. The existing tanks are three, 8,000 gallons. Drake Petroleum would like to begin offering diesel fuel which they would need extra storage space for. Mr. Webster said that this is a region that experiences long winters and if there was ever a time when fuel delivery was delayed 696 Main Street would have a supply that could cover a greater length of time.

c. Speak in Favor/Opposition

David Magadini, 334 Main Street. Mr. Magadini noted that the construction has already begun at the location stating that this is incorrect procedure. Mr. Magadini also noted that the convenience store has changed their hours of operation. Mr. Magadini asked that the Selectboard require that the XtraMart go back to the original hours as a condition of the special permit.

d. Motion to Close Public Hearing

MOTION: Steve Bannon motioned to close the public hearing.

SECOND: Dan Bailly

VOTE: 5-0

e. Motion re: Findings

f. Motion re: Approval/Denial/Table

MOTION: Steve Bannon motioned to approve the application Emprimo Limited Liability Co. to amend the existing license to increase capacity for storage of crude petroleum or any of its products.

SECOND: Dan Bailly

VOTE: 5-0

D. Timberlyn Realty LLC (Timberlyn Operating LLC) for a license for keeping, storage of crude petroleum or any of its products or explosive or inflammable fluids or compounds in accordance with Chapter 148, Sections 9 and 13 of the Massachusetts General Laws at 320 Maple Avenue, Great Barrington, MA 01230. (Discussion/Vote)

a. Open Public Hearing

MOTION: Steve Bannon motioned to open the public hearing.

SECOND: Dan Bailly

VOTE: 5-0

b. Explanation of Project

This permit application is to store fuel at 320 Maple Avenue. These fuel tanks supply Timberlyn with the fuel it needs to heat, prepare food, and launder.

c. Speak in Favor/Opposition

d. Motion to Close Public Hearing

MOTION: Steve Bannon motioned to close the Public Hearing

SECOND: Dan Bailly

VOTE: 5-0

e. Motion re: Findings

f. Motion re: Approval/Denial/Table

MOTION: Steve Bannon motioned to approve the application for Timberlyn Realty, LLC.

SECOND: Dan Bailly

VOTE: 5-0

6. LICENSES OR PERMITS:

A. Jane Ralph/Construct for permission to hold Annual Walk to Prevent Homelessness on Sunday, October 15, 2017, 1:00 pm starting at Ski Butternut and ending at the Great Barrington Fairgrounds. (Discussion/Vote)

Jane Ralph said that this will be the 27th annual walk to help raise funds for those without homes to achieve stable housing.

MOTION: Steve Bannon motioned to approve.

SECOND: Dan Bailly

VOTE: 5-0

- B. Patty Spector/The Josh Billings Runaround Triathlon for permission to use town roads for the 41st Annual Great Josh Billings RunAground on Sunday, September 17, 2017.
(Discussion/Vote)

MOTION: Steve Bannon motioned to approve.

SECOND: Dan Bailly

VOTE: 5-0

- C. Amy Rudnick/Fairview Hospital for

- One Day Weekday Entertainment License for September 16, 2017 from 5:00 pm - 8:00 pm in a tent near the Gazebo on the village green behind Town Hall. (Discussion/Vote)

Steve Bannon clarified that he does not gain financially from this fundraiser as an employee of Fairview Hospital and will therefore not be recusing himself for the discussion and vote.

MOTION: Steve Bannon motioned to approve the One Day Weekday Entertainment License.

SECOND: Dan Bailly

VOTE: 5-0

- One Day All Alcoholic Liquor License for September 16, 2017 from 5:00 am – 8:00 pm in a tent on the village green behind Town Hall.
(Discussion/Vote)

MOTION: Steve Bannon motioned to approve the One Day All Alcoholic Liquor License.

SECOND: Dan Bailly

VOTE: 5-0

- D. G. Patrick Hollenbeck/Board of Library Trustees for Eight (8) One Day Beer and Wine Liquor Licenses for 9/2/17; 10/7/17; 11/4/17; 12/2/17; 1/6/18; 2/3/18; 3/3/18; 4/7/18 from 6:00 pm – 10:00 pm at the Mason Library, 231 Main Street. *FEE WAIVER REQUESTED.* (Discussion/Vote)

MOTION: Steve Bannon motioned to approve the One Day Beer and Wine Liquor Licenses for the above dates.

SECOND: Dan Bailly

VOTE: 5-0

- E. Jenise Lucey/Berkshire South Regional Community Center for One Day All Alcoholic Liquor License for August 18, 2017 from 5:30 pm – 10:30 pm at Berkshire South Community Center, 15 Crissey Road. (Discussion/Vote)

MOTION: Steve Bannon motioned to approve the One Day All Alcoholic Liquor License.

SECOND: Dan Bailly

VOTE: 5-0

- F. Robin Vickery/Great Barrington Fish and Game for Eleven (11) One Day Beer and Wine Liquor Licenses for every Sunday from September 10 to November 19, 2017 from 11:00 am – 7:00 pm at 338 Long Pond Road. (Discussion/Vote)

MOTION: Steve Bannon motioned to approve the One Day Beer and Wine Liquor Licenses.

SECOND: Dan Bailly

VOTE: 5-0

- G. Carla Blades and Adam Medina/Familia Botanica LLC d/b/a Botanica for 2017 Annual

Common Victualler License at 34 Railroad Street. (Discussion/Vote)

MOTION: Steve Bannon motioned to approve the Annual Common Victualler License

SECOND: Dan Bailly

VOTE: 5-0

H. Stephen P. Blackwell/James A. Modolo Post #8348 for

- an **Amended** 2017 Annual Weekday Entertainment License **to include outside bandstand trailer** on the VFW grounds, 800 South Main Street. (Discussion/Vote)

MOTION: Steve Bannon motioned to approve the Amended Annual Weekday Entertainment License.

SECOND: Dan Bailly

VOTE: 5-0

- an **Amended** 2017 Annual Sunday Entertainment License **to include outside bandstand trailer** on the VFW grounds, 800 South Main Street. (Discussion/Vote)

MOTION: Steve Bannon motioned to approve the Amended Annual Sunday License.

SECOND: Dan Bailly

VOTE: 5-0

I. Benchmark Development for Driveway Permit for Memorial Field (near 42 Bridge Street). (Discussion/Vote)

MOTION: Steve Bannon motioned to approve with the conditions imposed by the Town Planner and the Highway Superintendent.

SECOND: Dan Bailly

VOTE: 5-0

7. NEW BUSINESS:

A. SB - Appointment of member (resident) to the Community Preservation Committee. (Discussion/Vote)

MOTION: Steve Bannon motioned to appoint Patricia Sharp to the CPC.

SECOND: Dan Bailly

VOTE: 5-0

B. SB - Request from Attorney Richard Vinette to Release Lien for 1892 North Main Rd., Otis, MA property (part of the FY 1998 Regional Housing Rehabilitation Program). (Discussion/Vote)

Atty. Richard Vinette representing Ms. Mahoney, owner of 1892 North Main Rd. Otis, MA. The Town of Great Barrington has a lien on the property for \$4,000.00. This was awarded by CDBG, Community Development Block Grant. Mr. Vinette asked the GB Selectboard to forgive the lien on the property so that Ms. Mahoney will no longer be responsible for paying the lien as she attempts to sell the home.

MOTION: Steve Bannon motioned to forgive the lien of \$4,000.00 on the 1892 North Main Rd. Otis, MA property.

SECOND: Dan Bailly

VOTE: 4-1 –Ed Abrahams opposed.

Mr. Abrahams said that he is unclear why the Town of Great Barrington would forgive the loan when we have a similar program, Great Barrington Affordable Housing Trust that would continue the oversight of the loan.

8. CITIZEN SPEAK TIME:

David Magadini, 334 Main Street. David expressed his opposition for Construct's Walk for the Homeless. Mr. Magadini said this walk is a mockery of homeless people like him. Mr. Magadini said there is little substance to the walk and does nothing to change policy that would aid homeless people.

9. SELECTBOARD'S TIME:

NONE.

10. MEDIA TIME:

Colin Demerst, Berkshire Record, asked the Selectboard how the recent terrorist attacks in Burkina Faso affect the Sister City Contract. Mr. Stanton said it was too early for him to speak to the issue.

11. CONVENE INTO EXECUTIVE SESSION - Town Manager's Conference Room

MGL.c. 30A, sec. 21 (a) (3) to discuss ratification of the extension of the collective bargaining agreement with Massachusetts Coalition of Police, Local 350 (Police).

MOTION: Steve Bannon motioned to convene into executive session to return to open session.

SECOND: Dan Bailly

Roll Call Vote: Sean Stanton_ **yes**, Steve Bannon_ **yes**, Dan Bailly_ **yes**, Ed Abrahams_ **yes**, Bill Cooke_ **yes**. **5-0**

Reconvene into Open Session

MOTION: Steve Bannon motioned to reconvene into open session.

SECOND: Dan Bailly

VOTE: **5-0**

SB – to Vote on Ratification of Collective Bargaining Agreement.

MOTION: Steve Bannon motioned to authorize the Town Manager to sign the Memorandum of Understanding and the contract with Massachusetts Coalition of Police, local 350.

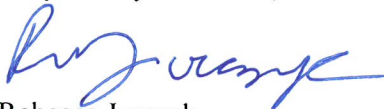
SECOND: Dan Bailly

VOTE: **5-0**

12. ADJOURNMENT:

On a motion made by Steve Bannon, seconded by Dan Bailly with a unanimous vote, the meeting was adjourned at 8:30PM.

Respectfully submitted,



Rebecca Jurczyk
Recording Secretary