

**TOWN OF GREAT BARRINGTON
SELECT BOARD MEETING
TOWN HALL
MINUTES August 28, 2017**

PRESENT:

SELECTBOARD

SEAN STANTON

STEPHEN C. BANNON

DANIEL BAILLY

ED ABRAHAMS

TOWN MANAGER JENNIFER TABAKIN

ABSENT: BILL COOKE

CALL TO ORDER:

Mr. Stanton called the meeting to order at 7 p.m.

SELECTBOARD ANNOUNCEMENTS:

An update on the Great Barrington Affordable Housing Trust funding was postponed.

TOWN MANAGER:

Ms. Tabakin said a No Pets Allowed sign was recently posted at the end of a dirt road on the town's McAllister Park property by the Great Barrington Fire District, which owns the land beyond, to the shore of Green River, apparently due to dog walkers failing to clean up after their pets. A new gate is to keep vehicles from going up the walking path from the Fire District property. The district's Prudential Committee holds regular meetings, for anyone wanting more information.

Department Updates The town manager said the Great Barrington Fire Department had a busy month in July with 78 calls including two structure fires and four vehicle fires.

The Great Barrington Department of Public Works has completed work on the widow walk on Mason Library. Seekonk Cross Road construction is completed with grading by Wilkinson Construction. LB Corp. of Lee was low bidder (and about \$300,000 below the \$1.6 million budgeted) for Division Street and Christian Hill Road paving work next spring.

New Special Permit The board agreed to a public hearing Sept. 25 on a special permit application by Timeless Auto Sales for a sales room and vehicle retail business at Cove Lanes, 109 Stockbridge Road.

Housatonic School RFP Ms. Tabakin said Greyhouse Partners has submitted a proposal for the former Housatonic School building. It is a public/private partnership making adaptive, mixed reuse of the property with 14,000 square feet of work/office space and seven rental units.

LICENSES OR PERMITS:

- A. Nicole Blum/Jonathan Carr/Carr's Ciderhouse for One Day Farmer Winery Liquor License for September 17, 2017 from 10:00 am – 4:00 pm at Berkshire Fermentation Festival at Great Barrington Fair Grounds, 659 Main Street. (Discussion/Vote)

On a motion by Mr. Bannon, seconded by Mr. Bailly and voted favorably by all four members, the board approved a one-day farmer winery liquor license to Nicole Blum/Jonathan Carr/Carr's Ciderhouse for Sept. 17, 2017, from 10 a.m. to 4 p.m. at the Berkshire Fermentation Festival at the Great Barrington Fairgrounds, 659 Main St., advising the applicant to bring any necessary drinking water with them as there is no potable water available on the property.

- B. Christine Heaton/Big Elm Brewing for one Day Beer and Wine Liquor License for September 17, 2017 from 10:00 am – 4:00 pm at Berkshire Fermentation Festival at Great Barrington Fair Grounds, 659 Main Street. (Discussion/Vote)

On a motion by Mr. Bannon, seconded by Mr. Bailly and voted favorably by all four members, the board approved a one-day beer and wine liquor license to Christine Heaton/Big Elm Brewing for Sept. 17, 2017, from 10 a.m. to 4 p.m. at the Berkshire Fermentation Festival at the Great Barrington Fairgrounds, 659 Main St., advising the applicant to bring any necessary drinking water with them as there is no potable water available on the property.

NEW BUSINESS:

- A. SB - Appointment of Election Officers. (Discussion/Vote)

On a motion by Mr. Bannon, seconded by Mr. Bailly and voted favorably by all four members, the board approved a list of **election officers** submitted by Town Clerk Marie Ryan.

- B. SB - Approve Town Meeting/Election Calendar 2018. (Discussion/Vote)

On a motion by Mr. Bannon, seconded by Mr. Bailly and voted favorably by all four members, the board approved an **election calendar** for FY2018 submitted by Town Clerk Ryan. In discussion prior to the vote, Mr. Abrahams asked why the period for citizen petition acquisition of names was so short. Mr. Stanton said it was intended to contain the number of superfluous petitions submitted by an individual or organization. He said only 10 signatures are needed to place an item on the warrant, and a week is sufficient time to gather them. The baby town meeting will be held at Town Hall this year.

- C. SB - Appointment of member to the Agricultural Commission. (Discussion/Vote)

On a motion by Mr. Bannon, seconded by Mr. Bailly and voted favorably by all four members, the board reappointed Devan Arnold to the **Agricultural Commission**.

- D. SB - Recommendation to the Town Manager of member appointment to the Historical Commission. (Discussion/Vote)

On a motion by Mr. Bannon, seconded by Mr. Bailly and voted favorably by all four members, the board reappointed William Nappo to the **Historical Commission**.

- E. Denise Allard/Colonial Power Group, Inc. - Update on Town's Municipal Aggregation.

The board heard a presentation from Mark Cappadona and Denise Allard of Colonial Power Group Inc. regarding the town's **Municipal Aggregation Procurement**. Mr. Cappadona explained the several-step procedure by which a more favorable electricity rate can be provided to the town's Nation Grid customers who have not joined any other plan and take the default National Grid rate. Mr. Bannon moved to meet Sept. 18 at 6 p.m. at Town Hall to hear the status from Mr. Cappadona and decide how to proceed. Mr. Bailly seconded and all were in favor. Mr. Cappadona said appropriate townspeople will automatically be signed up for the new rate structure, but can opt out or back in at any time. Similarly, the board can vote to pass on the offer this time.

- F. Ed Abrahams/Tim Newman – GB Fiber: Options and Next Steps. (Discussion/Vote)

The board heard from Mr. Abrahams and Tim Newman (Wired West board member) of Southfield on options for bringing **broadband service** to the downtown business district. Mr. Abrahams said the town's cable television provider, Spectrum, does have broadband capabilities but it is very expensive. Mr. Newman explained differences in DSL, cable and broadband systems, the last being the fastest and most reliable. Mr. Newman said it is vital, if the town is to attract new individuals or businesses with digital access needs to be able to provide broadband. He said the town is not eligible for certain grants, because the service is available through Spectrum. He said the developer of the office/housing on upper Railroad Street is privately establishing a broadband system for tenants. He said that for the town board to better

explore options, such as create of its own “municipal light plant” and system, it will need to know the cost to put fiber capability on every utility pole in the district and determine the number of potential customers. He said these figures should be available later this year. Simon Joffe of New Marlborough, who has an office in Great Barrington, also spoke to the need for better internet service if new businesses are to be attracted. Mr. Bailly suggested Housatonic should also have broadband service and Mr. Newman agreed, as the village is ripe for business growth.

CITIZEN SPEAK:

Karen Smith, chair of Parks & Recreation, said a new bicycle stand has been installed and another is planned somewhere in the vicinity of Town Hall. Berkshire Bike & Board will hold a free flat tire clinic Sept. 16.

MEDIA TIME:

Eileen Mooney asked why the board intended to enter executive session to discuss legal strategy pertaining to wipes without there being a pending case. Ira Kaplan, limited special counsel, said the intention is to discuss potential litigation strategy in order to determine the Select Board’s action, and the participant, members of the firm of Robbins Geller Rudman & Dowd LLP, don’t want to show their hand. Ms. Mooney said she didn’t believe this justified going into executive session. Ms. Tabakin said if a vote is taken, it will be in public session.

Mr. Bannon moved to adjourn to Executive Session per MGL.c. 30A, sec. 21 (a) (3) to discuss legal strategy pertaining to wipes then return to open meeting. In a roll call, Mr. Abrahams, Mr. Bailly, Mr. Bannon and Mr. Stanton voted yes. It was 8:10 p.m.

Reconvene into Open Session

- SB – to Vote to appoint the firm of Robbins Geller Rudman & Dowd LLP
- to draft Retainer Agreement

The board returned to open meeting at 9:13 p.m. and announced that a vote to appoint the law firm and to act on a retainer agreement would be on the agenda for the Sept. 11, 2017, meeting.

ADJOURN:

Mr. Bannon moved to adjourn the meeting, Mr. Bailly seconded and the vote was unanimous. It was 9:14 p.m.

Respectfully submitted,



Bernard A. Drew
Recording Secretary