

SELECTBOARD'S MEETING AGENDA

MONDAY, JANUARY 9, 2017

7:00 PM – REGULAR SESSION

TOWN HALL, 334 MAIN STREET

PRESENT:

SEAN STANTON
STEPHEN BANNON
DAN BAILLY
ED ABRAHAMS
BILL COOKE

TOWN MANAGER, JENNIFER TABAKIN

7:00 PM - OPEN MEETING

1. CALL TO ORDER

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

2. APPROVAL OF MINUTES:

November 28, 2016 Regular Meeting.

Motion: Steve Bannon moved to approve the November 28, 2016 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 Updates.

- The new DPW superintendent, Sean VanDeusen started this past week.
- Linda Coons retired the last week in December.
- Jayne Smith, the Health Agent resigned the last week in December.
- Great Barrington's Wastewater Treatment plant received the Regional EPA Wastewater award, honoring maintenance and operational excellence. Tim Drumm will be representing the Town and accepting the award in Boston on January 25, 2017.

- The Assessor's office reported that the Department of Revenue mandated that the cyclical inspection program is ongoing and will continue through January. Mayflower is the consultant working for the Town on this project. The Assessor's office also wanted to note that for the 2017 abatement period 53 applications were filed with a \$24,000 tax impact.
- The office of Veteran's Affairs has relocated to 491 Main Street. Hours will remain the same, Monday 10-2 PM, Tuesday 8-2PM, Wednesday by appointment, Thursday 10-2PM, Friday by appointment. This info along with Laurie Hill's contact will be posted on the website and at Town Hall.

B. Project Updates.

- National Grid has completed the survey for electrical use in Great Barrington. Colonial Power will be representing Great Barrington in Boston on January 25, 2017 at 2:00PM where this new data will be presented in a public hearing, all are welcome to attend this meeting.

C. Appointment of Town Clerk as Records Access Officer (RAO).

The new public records access law requires an appointment of a RAO. This position defaults to the Town Clerk who will track requests and collections of public records.

Motion: Steve Bannon moved to appoint the Town Clerk, Marie Ryan as the RAO.

Second: Dan Bailly

Vote: 5-0

5. PUBLIC HEARINGS:

- A. Benchmark Development, PO Box 1823, Lenox, MA, for a special permit for the construction of a new mixed-use development in the Village Center Overlay District and work in Zone II of the Water Quality Protection Overlay District, at 34-38 & 42 Bridge Street, Great Barrington, in accordance with Sections 9.2, 9.6 and 10.4 of the Great Barrington Zoning Bylaw. (Discussion/Vote)

a. Open Public Hearing

Motion: Steve Bannon moved to open the public hearing

Second: Dan Bailly

Vote: 5-0

b. Explanation of Project

Brian Cohen, presented on behalf of Benchmark Development. The project site covers the old Laramie Cleaners site, the Demsey Lot, a JDA parcel, and the parking lot that the Barrington Coop currently leases. The current plan has the Coop level with the bottom parking lot, retail space and office space at street level, and 22 condominiums for sale in the upper two levels. This is phase one of the project, phase two will construct a residential, three story building in the rear of the site.

c. Speak in Favor/Opposition

Peter Puciloski, Representing Wheeler and Taylor outlined two concerns. First issue is that the construction of phase one will encroach on the property of the Wheeler and Taylor building. Second concern, Wheeler and Taylor has rights to the 30ft right of way to the Searles Castle Property and the plan to construct phase one shows blockage to this right of way, a violation of W&T's easement. Puciloski asked the Selectboard to continue the public hearing until Benchmark can return with solutions to Wheeler and Taylor's concerns.

Sean Stanton expressed interest in a sidewalk. He told Benchmark that the people of Great Barrington would like to see a sidewalk at this location and he would like them to figure out a way to incorporate a sidewalk into phase one.

Cohen explained that constructing a sidewalk possibly takes further cooperation from abutting properties.

d. Motion to Close Public Hearing

Motion: Steve Bannon moved to continue the public hearing until February 13, 2017

Second: Dan Bailly

Vote: 5-0

6. LICENSES OR PERMITS:

A. Yaling Zheng/The East Asian Cuisine, Inc. d/b/a The East Asian Restaurant for 2017 Common Victualler License at 305 Stockbridge Road. (Discussion/Vote)

Motion: Steve Bannon moved to approve the Common Victualler License.

Second: Dan Bailly

Vote: 5-0

B. Toni Bergins and Angel Espinoza for 2017 Common Victualler License at 284/6 Main Street. (Discussion/Vote)

Motion: Steve Bannon moved to approve the Common Victualler License.

Vote: 5-0

C. Nancy Lee Trefethan/Elixir LLC for 2017 Common Victualler License at 70 Railroad Street. (Discussion/Vote)

Motion: Steve Bannon moved to approve the Common Victualler License.

Second: Dan Bailly

Vote: 5-0

D. Eric Bruun/South County LLC d/b/a SoCo Creamery for 2017 Common Victualler License at 5 Railroad Street. (Discussion/Vote)

Motion: Steve Bannon moved to approve the Common Victualler License.

Second: Dan Bailly

Vote: 5-0

E. Eric Bruun/South County LLC d/b/a Oasis for 2017 Common Victualler License at 280 Main Street. (Discussion/Vote)

Motion: Steve Bannon moved to approve the Common Victualler License

Second: Dan Bailly

Vote: 5-0

F. Mary R.White/St. Peter's Church for two (2) One Day Beer and Wine Liquor Licenses for January 20, 2017 and March 11, 2017 from 5:00 pm – 8:00 pm at St. Peter's Center (corner of East and Cottage Streets). (Discussion/Vote)

Motion: Steve Bannon moved to approve the (2) One Day Beer and Wine Liquor Licenses for January 20, 2017 and March 11, 2017.

Second: Dan Bailly

Vote: 5-0

7. NEW BUSINESS:

A. SB – Appointment of Veteran's Grave Officer and Town's Representative to the District Department of Veterans' Services. (Discussion/Vote)

Motion: Steve Bannon moved to appoint Andy Moro as the Veteran's Grave Officer and Town Representative to the Dept. of Veterans' Services until June 30, 2022.

Second: Dan Bailly

Vote: 5-0

B. SB – Town Manager's Request to appoint Special Town Counsel. (Discussion/Vote)

The Town Manager requested the Selectboard appoint Deutsch Williams to serve as a labor council throughout the labor contract negotiations.

Dan Bailly suggested having a discussion to review the Selectboard's objectives and goals regarding the use of Town Counsel. The Selectboard decided to review the functions of Town Counsel at the February 13th regular meeting.

Motion: Steve Bannon motioned to approve the appointment of Deutsch Williams as special legal counsel for labor issues.

Second: Dan Bailly

Vote: 5-0

C. SB – Review Town Manager's Evaluation Form. (Discussion)

The Selectboard revised the form previously used to evaluate the Town Manager's performance. This new form is more applicable to the responsibilities specific to Great Barrington's Town Manager. Many Board members agreed that finalizing such a form should be done soon. Steve Bannon proposed immediately following budget season.

Motion: Steve Bannon moved to accept this evaluation form and to have it ready for review and returned to the Chairman by March 31, 2017. The evaluation will be discussion in an Executive Session on April 10, 2017, a summary of the report will be published for public review on April 24, 2017.

Second: Dan Bailly

Vote: 5-0

D. National Grid and Verizon to install 1 Joint owned pole and 1 Joint owned anchor (p121-2 North Plain Road) approximately 1930' north of Brookside Ct for electric service at 342 North Plain Road. (Discussion/Vote)

Chairman Stanton recused himself from the discussion/vote, he is the owner of 342 North Plain Road.

There is currently electrical service at this location but it will not be able to service the upcoming project.

Motion: Steve Bannon moved to approve the installation of an additional National Grid pole at this location.

Second: Dan Bailly

Vote: 4-0

E. SB- Acceptance of rail trail deed from Rail Trail Land LLC. (Discussion/Vote)

Chairman Stanton recused himself from the discussion/vote because he is an abutter to the Rail Trail.

The Rail Trail was donated to the Town. A subsequent environmental review of the land was conducted which indicated that the site was only used as a railroad and there are no environmental concerns.

Motion: Steve Bannon moved to accept the Rail Trail Deed from Rail Trail Land LLC.

Second: Dan Bailly

Vote: 4-0

F. SB – Application to the Berkshire Regional Planning Commission (BRPC) for District Local Technical Assistance (DLTA) grants. (Discussion/Vote)

Chris Rembold spoke on behalf of the DLTA grant application. The Planning Department would like to submit an application to receive 40R assistance as well as economic development planning. Mr. Rembold asked for the Selectboard's endorsement on these applications so the Planning Board can move forward with the application process.

Dan Bailly asked if these grants are guaranteed to be given. Mr. Rembold said that there is a good chance we will receive the funding but they are not guaranteed. Dan Bailly asked the Town Manager and Chris Rembold to look into when the State will announce whether or not there is going to be funding for these grants.

Motion: Steve Bannon moved to endorse the DLTA grants and to authorize the Chairman and Town Manager to sign the DLTA applications.

Second: Dan Bailly

Vote: 5-0

G. SB – Proposed Warrant Article for January 26, 2017 Special Town Meeting - Housing Trust Fund. (Discussion/Vote)

Bill Cooke described the goal of the Housing Trust Fund, which is to preserve affordable housing in Great Barrington. The Warrant Article includes protection for affordable housing, farmland, and open space.

Motion: Steve Bannon moved to approve the proposed Warrant Article as amended.

Second: Dan Bailly

Vote: 5-0

8. CITIZEN SPEAK TIME:

David Magadini, asked the Town provide a community shelter for folks to go to when there is inclement weather. He would like to see this go on the Town Meeting Warrant. David presented an article for consideration to the Selectboard.

Lilly Swartz, 11 Benton Ave. said that the Selectboard mentioned having diversity training. She wanted to know where the Selectboard stands regarding those plans. Lilly was instructed by the Selectboard to follow up with the Town Manager.

9. SELECTBOARD'S TIME:

Steve Bannon asked on behalf of Chip Elitzer if Town Counsel has approved the wording for the warrant article he submitted and when can it be released? The Selectboard decided to hold an additional meeting on January 12th at 3:00 PM in the Town Hall meeting room to review the proposed warrant articles.

Motion: Steve Bannon moved to add another meeting to discuss the Town Meeting Warrant on January 12, 2017 at 3:00 PM at the Town Hall

Second: Dan Bailly

Vote: 5-0

10. MEDIA TIME:

The Berkshire Eagle, Eoin Higgins asked if he could receive updates on the diversity training as well. He was also instructed to follow up with the Town Manager. Eoin wanted to know if the Housatonic School was still being shown to potential buyers. The Town Manager responded that it's still on the market. His last question was whether or not the Selectboard endorses the Town Manager appointing the next Health Agent. The Selectboard responded that they are going to meet with the Town Manager to discuss a solution to the hiring process. Once they have finalized a plan they will present it as a Board for official endorsement.

11. ADJOURNMENT: Steve Bannon motioned to adjourn the Regular Meeting Session to convene into Executive Session at 8:20 PM.

Second, Dan Bailly. **Vote 5-0.**


12. CONVENE INTO EXECUTIVE SESSION and Not to Return to Open Session - Town Manager's Conference Room

- Roll Call Vote

Bill Cooke: Yes, Ed Abrahams: Yes, Dan Bailly: Yes, Steve Bannon, Yes, Sean Stanton: Yes.

- Union Collective Bargaining Strategy (American Federation of State, County and Municipal Employees - DPW, Local #204); (Massachusetts Coalition of Police, Local #350); and (American Federation of State, County and Municipal Employees - Libraries, Local #204) 2017 – 2020 Contract Negotiations (M.G.L. c. 30A, sec.21a #3)

Respectfully submitted,



Rebecca Jurczyk
Recording Secretary