

Selectboard Meeting via Zoom and in person at 334 Main Street, Great Barrington, MA
Monday, March 11, 2024

1. CALL TO ORDER SELECTBOARD REGULAR MEETING - Chairman Bannon opened the meeting at 5:00pm with Selectboard members Steve Bannon, Leigh Davis, Ben Elliott, Garfield Reed present.
Also in attendance: Town Manager Mark Pruhenski
2. SELECTBOARD'S TIME – No members asked to speak.
3. CONVENE INTO EXECUTIVE SESSION (will return to open session)
 - a. Executive Session under MGL Chapter 30A, section 21(a)(3) for the following purpose: To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declared.
 - i. L. Davis made a motion that the Board meet in executive session pursuant to MGL Ch. 30A sec. 21(a)(3) for the following purpose: To discuss strategy with respect to litigation, Housatonic Water Works Company rate increase petition to the Department of Public Utilities, DPU no. 23-651; G. Reed seconded.
 - ii. Roll Call Vote: S. Bannon, “aye,” L. Davis, “aye,” B. Elliott “aye,” G. Reed, “aye.”
All in favor: 4-0.
 - b. Executive Session under MGL Chapter 30A, section 21(a)(3) for the following purpose: To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declared.
 - i. L. Davis made a motion that the Board meet in executive session pursuant to MGL Chapter 30A, section 21(a)(3) for the following purpose: To discuss strategy with respect to litigation threatened against the Town concerning host community agreements for marijuana establishments, Theory Wellness and Community Growth Partners (Rebelle); G. Reed seconded.
 - ii. Roll Call Vote: S. Bannon, “aye,” L. Davis, “aye,” B. Elliott “aye,” G. Reed, “aye.”
All in favor: 4-0.
 - c. Executive Session under MGL Chapter 30A, section 21(a)(7) for the following purpose: To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements
 - i. L. Davis made a motion that the Board meet in executive session pursuant to MGL Chapter 30A, section 21(a)(7) to approve executive session minutes from previous meetings 1. November 6, 2023 2. January 22, 2024 3. January 31, 2024; G. Reed seconded.
 - ii. Roll Call Vote: S. Bannon, “aye,” L. Davis, “aye,” B. Elliott “aye,” G. Reed, “aye.”
All in favor: 4-0.
4. RE-CONVENE IN REGULAR/OPEN SESSION – The Selectboard reconvened its regular meeting at 6:05.
5. APPROVAL OF MINUTES – There were none.
6. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS
 - a. L. Davis made a statement regarding the Rest of River remediation and GE's Quality of Life Compliance Plan asking for GE to consider citizen concerns about the transportation of PCBs from the river clean up and to accept rail/hydraulic transportation as a viable alternative to truck transportation. She added that health and safety issues have not been addressed and asked citizens to provide input prior to the March 29 deadline - she urged the EPA to focus on the best interests of the community. She also stated a letter would be presented at the next Selectboard meeting for its consideration.

7. TOWN MANAGER'S REPORT

- a. Housatonic Water Works – M. Pruhenski stated that those who have applied for reimbursement for expenses related to water issues in Housatonic will receive checks soon and added the Town is awaiting the transfer of DEP funds.

8. LICENSES AND PERMITS – There were none.

9. PUBLIC HEARINGS

- a. Special Permit 940-24: application from the Community Land Trust in the Southern Berkshires, c/o Sarah Downie, Vice President, to modify special permit #297-86, granted in 1986, to remove one acre from the site's open space. The site is identified as Assessor's Map 32, Lot 5H on Christian Hill Road, also known as Forest Row

- i. Open Public Hearing

L. Davis made a motion to open the public hearing; G. Reed seconded. S. Bannon, "aye," L. Davis, "aye," B. Elliott "aye," G. Reed, "aye." All in favor: 4-0.

- ii. Explanation of the Project

Peter Puciloski provided background on the original Special Permit, reviewed the site plan and explained the history/configuration of the community. He stated one acre at the northeast corner is to be purchased by the Great Barrington Fire District for the location/purpose of providing back up water supply. He stated the Special Permit must be modified in order to convey it and then needs to be approved by Town vote.

- iii. Public comments and questions, speak in favor or in opposition

James Lawrence, 1 Forest Row stated the community has discussed the sale and residents are supportive and have signed consents.

- iv. Questions from the Selectboard – There were none.

- v. Comments from other Boards – There were none.

- vi. Selectboard discussion and draft findings

Chris Rembold, Assistant Town Manager, presented and the Selectboard reviewed the Special Permit Criteria under the Zoning Bylaw and draft Findings of Fact and had no questions or concerns.

- vii. Close Public Hearing

L. Davis made a motion to close the public hearing; G. Reed seconded. S. Bannon, "aye," L. Davis, "aye," B. Elliott "aye," G. Reed, "aye." All in favor: 4-0.

- viii. Motion to continue/deny/grant

L. Davis made a motion to approve the Findings of Fact for Special Permit #940-24, as written and referenced as Exhibit A; G. Reed seconded. S. Bannon, "aye," L. Davis, "aye," B. Elliott "aye," G. Reed, "aye." All in favor: 4-0.

L. Davis made a motion in view of the approved Findings of Fact, to approve Special Permit #940-24 for the Community Land Trust in the Southern Berkshires to remove one acre from the site's open space; G. Reed seconded. S. Bannon, "aye," L. Davis, "aye," B. Elliott "aye," G. Reed, "aye." All in favor: 4-0.

- b. Special Permit 941-24: application from the Community Development Corporation of South Berkshire, c/o Philip Orenstein, Interim Executive Director, to permit a hotel use at 453 Stockbridge Road, also known as the Thornewood Inn

S. Bannon stated the applicant has asked to continue the public hearing.

L. Davis made a motion to continue the public hearing to March 25 at 6:00pm at Town Hall and virtually; G. Reed seconded. All in favor: 4-0.

- i. Open Public Hearing

- ii. Explanation of the Project

- iii. Public comments and questions, speak in favor or in opposition
- iv. Questions from the Selectboard
- v. Comments from other Boards
- vi. Selectboard discussion and draft findings
- vii. Close Public Hearing
- viii. Motion to continue/deny/grant

10. NEW BUSINESS

- a. Berkshire Busk! – Railroad Street Road Closure and advertising banner for the 2024 Summer Season.

Carli Scolforo presented for Berkshire Busk stating the festival format and timing will be the same as in past years and the request is to close Railroad Street starting at 5:30pm, June 26-August 31 and to hang the banner across Railroad Street.

- i. B. Elliott recused.

L. Davis made a motion to approve the Railroad Street road closure starting at 5:30pm; G. Reed seconded. S. Bannon asked for any discussion – there was none. All in favor: 3-0.

L. Davis made a motion to approve the Berkshire Busk request for a banner for June 19 - September 3; S. Bannon seconded. S. Bannon asked for any discussion – G. Reed asked that it not be up longer than it was last year and questioned its effectiveness in attracting audiences and improving attendance. L. Davis stated the banner attracts audiences and brings people to Great Barrington, especially tourists which supports business and economic development. S. Bannon stated it is good advertising for the Town. it does not detract from the Town and is an important event here. G. Reed asked for data to back up the claim that the banner drives attendance. Gene Carr stated the banner is important to attract tourists and other advertising is not as effective. L. Davis stated the banner attracts sponsors and visitors. Motion failed 2-1 with G. Reed voting no.

L. Davis made a motion to have the banner up June 19-September 3; S. Bannon seconded. S. Bannon asked for any discussion – G. Carr stated the timing could change to June 28 – September 3 since Labor Day weekend is very popular. Michelle Loubert, 70 Division Street expressed support for promoting the festival and Dennis Iodice, 47 Railroad Street, stated the banner increases attendance. G. Reed asked that attendance numbers be tracked again this year.

L. Davis withdrew her motion and S. Bannon withdrew his second.

L. Davis made a motion to have the banner up the weekend of June 28 – August 31; S. Bannon seconded. S. Bannon asked for any discussion – there was none. All in favor: 3-0.

- b. Request from Library Trustees to form a new Ramsdell Building Advisory Committee and review/approve Committee Charter.

Patrick Hollenbeck stated the Committee and Charter are necessary for the Library's application for a MA Public Library Construction program grant. M. Pruhenski stated he had reviewed the document and made some edits.

L. Davis made a motion to accept the request from the Library Trustees to form a new Ramsdell Building Advisory Committee and to approve the Committee Charter; G. Reed seconded. S. Bannon asked for any discussion – there was none. All in favor: 4-0.

- c. Request from the Great Barrington Farmers' & Arts Markets to close Church Street

Dennis Iodice, Manager GB Farmers' Market, presented stating the request is for closing a portion of Church Street for the Market to be held May 11 – November 9 and will be the same as in the past.

L. Davis made a motion to approve the request of Great Barrington Farmers' & Arts Markets to close Church Street May 11 – November 9; G. Reed seconded. S. Bannon asked for any discussion – there was none. All in favor: 4-0.

- d. Request from Great Barrington Fire Department to close a portion of Main Street for their annual car show

Terry Chamberland presented stating the event will be the same as last year and he will be coordinating with the Mahaiwe as they have an event that night.

L. Davis made a motion to approve the request from the Great Barrington Fire Department to close a portion of Main Street for their annual car show; G. Reed seconded. S. Bannon asked for any discussion – there was none. All in favor: 4-0.

- e. Berkshire Health Group Representative Appointments – Sophia Blestos, Human Resources Director and Alicia Dulin, Treasurer & Collector

L. Davis made a motion to approve Berkshire Health Group Representative appointments for Sophia Blestos, Human Resources Director and Alicia Dulin, Treasurer & Collector; G. Reed seconded. S. Bannon asked for any discussion – M. Pruhenski clarified S. Blestos would be the primary representative and A. Dulin would be an alternate. All in favor: 4-0.

- f. Appointment to the Tree Committee – Christopher Wiltshire

L. Davis made a motion to appoint Christopher Wiltshire to the Tree Committee; G. Reed seconded. S. Bannon asked for any discussion – there was none. All in favor: 4-0.

11. CITIZEN SPEAK TIME

- a. M. Loubert stated she had raised concerns about the Division Street Bridge crosswalk and railroad debris on Van Deusenville Road and she has not received a response and the items have not been placed on an agenda. She also pointed out the chair of the Finance Committee did not recuse for budget items involving affordable housing and she raised concerns about budget for the community impact program in light of the pending lawsuit and stated the matter should have been raised at the February 28 meeting.

12. SELECTBOARD'S TIME – No members asked to speak.

13. MEDIA TIME – No media asked to speak.

14. ADJOURNMENT - Chairman Bannon adjourned the meeting by unanimous consent at 6:55pm.

Respectfully submitted,

Stacy Ostrow, Recording Clerk