

Selectboard Regular Meeting Minutes
Monday, November 21, 2022
Town Hall, 334 Main Street, Great Barrington, MA 01230 and via Zoom

1. CALL TO ORDER JOINT SELECTBOARD AND FIRE DISTRICT MEETING

Chairman Bannon opened the meeting at 6:00pm.

Selectboard roll call: Chairman Bannon opened the meeting at 6:00pm. Roll call: Ed Abrahams, “aye,” Steve Bannon, “aye,” Leigh Davis, “aye,” Eric Gabriel, “aye,” Garfield Reed, “aye.”

Great Barrington Fire District roll call: William Atwood, “aye,” Kenneth Schumacher, “aye,” William Brinker, “aye,” William Foster, “aye.”

Additional attendees: Assistant Town Manager Chris Rembold

- a. Discussion of potential merger between two water systems – S. Bannon stated the Selectboard has been looking into options to address the water issues in Housatonic - and asked to hear what it would take to put together the GB Fire District and Housatonic Water Works (HWW).
 - i. W. Atwood, Chair, GB Fire District, Prudential Committee, stated the Fire District and HWW have a professional relationship and back each other up - and although currently there is no direct connection between the water systems, there is an intention to do so as a backup as required by the state. He noted both systems use surface water – share a water source with similar water quality. He stated if the Town wants to assume HWW and set up a separate company, the Fire District would help advise, but they have no interest in running HWW. He noted a merger would not put the Fire District in a good position due to required work on the system, additional staffing and other related costs.
 - ii. E. Gabriel stated he was disappointed the Fire District is not interested as he is confident in the Fire District’s ability to manage and maintain a merged system. He shared his personal experiences with having brown water and asked - if the two systems use the same water source, why is there brown water in Housatonic - W. Atwood replied the GB system is old, but they have done a good job of keeping it up and credited the crew servicing the system for the water quality and system maintenance. It was also clarified that the Fire District has a crew of three in the field and they are fully deployed.
 - iii. K. Schumacher asked about using the recently approved state funding – S. Bannon clarified it is for immediate relief/remediation for residents not for HWW. K. Schumacher asked about an appraisal of HWW – S. Bannon stated the Town has hired an appraisal firm and has been working primarily in executive session.
 - iv. S. Bannon stated a quasi-municipal agency like the Fire District can get grants which is a big difference between public and private water companies. He also confirmed the Town’s interest in exploring options and doing research – with the goal of getting clean water for residents.
 - v. L. Davis asked about the effect of combining the two systems and the likelihood that would solve the water issue – W. Atwood replied it would not solve the water quality issue - the HWW water would have to be treated and water pressure would also be impacted. There was further discussion about access and requirements for loans/state funding for the Fire District and HWW.
 - vi. E. Gabriel asked about Fire District minimum billing – it was clarified that if a customer is using under the minimum, it is \$46.57 quarterly plus tax.

2. CITIZEN SPEAK

- a. Michelle Loubert, 70 Division Street, stated she is a HWW customer and there have been problems for many years - she expressed concerns about water-related long term health issues especially for vulnerable people such as residents of Berkshire Meadows. She also asked about who would qualify to receive assistance from the state funds – S. Bannon replied the Selectboard will consider the type of assistance and if there will be economic criteria.
- b. Matthew O'Brien, 33 Van Deusenville Road, recommended primary water sources as a possible solution and noted www.primarywaterinstitute.org as a good resource.
- c. Anne O'Dwyer, 26 Kirk Street, asked what needs to be done for a merger – S. Bannon clarified it is the Fire District's decision as it is a separate agency from the Town. He noted that although the Fire District has stated it is not interested in a merger, this conversation is part of the Town's due diligence. W. Atwood explained there is no advantage in a merger for the Fire District as it would need to hire more staff and it will add significantly to its debt load and tax rate.
- d. Paul Carrara, 1026 Main Street, asked about the Fire District's water source – W. Atwood replied it comes from the Green River and Long Pond.
- e. Liz Rockefeller, 284 Park Street, stated the brown water is not due to homeowners' pipe as she had that checked out and stated safety concerns about drinking/bathing in brown water.
- f. M. O'Brien confirmed that GB Fire District is a municipality and HWW is not.
- g. Anni Crofut, 210 Cottage Street, stated long-term exposure to manganese is a health risk and it is an urgent situation with a moral imperative that outweighs financial considerations. She also inquired about what is being done differently by the Fire District crew vs HWW.
- h. Janice Gilroy, 185 Christian Hill Road, stated HWW piping runs through her yard – and she also noted the need for a common good/fairness in decision-making. She inquired where/how the Fire District-HWW connection would happen and asked about Fire District standards i.e., for the flushing process or holding water in the tank – W. Atwood replied their crew is licensed and follows best practices. He also stated the connection would be 900 feet near Christian Hill and Forest Row and it was clarified that this will be a complex engineering and financing process.
- i. Charlie Williamson, 48 Blue Hill Road, asked about the Fire District's water source – W. Atwood clarified it is a surface water source of Long Pond-Green River – C. Williamson commented it is a mix of water sources. C. Williamson asked about the manganese levels – W. Atwood replied Fire District levels are lower and it was noted Long Pond has measurable manganese. C. Williamson questioned how it could be the same water source.

3. MEDIA TIME – No media requested to speak.

4. ADJOURNMENT - Chairman Bannon adjourned the meeting by unanimous consent.

5. CALL TO ORDER SELECTBOARD REGULAR MEETING - Chairman Bannon called the meeting to order.

6. CONVENE AS SEWER COMMISSIONERS

L. Davis made a motion to convene as sewer commissioners; E. Abrahams seconded. Roll call vote: E. Abrahams, "aye," S. Bannon, "aye," L. Davis, "aye," E. Gabriel, "aye," G. Reed, "aye." All in favor: 5-0.

- a. Night Soil Abatement – Joe Aberdale, DPW Superintendent, stated the abatement information is in the packet. He explained Sullivan Sanitation had been hauling night soil and billing was monthly, but recently the business closed due to the death of the owner, and the bill is outstanding. He stated the Town could take legal action to find the funds, but there are no assets to attach - or go forward with an abatement.

L. Davis made a motion to approve the request from the DPW and Wastewater Superintendents for an abatement for Sullivan Sanitation (customer # 108992) in the amount of \$22,568 in order to close this

account; E. Abrahams seconded. S. Bannon asked if any discussion – E. Gabriel confirmed this is to take it off the books. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” L. Davis, “aye,” E. Gabriel, “aye,” G. Reed, “aye.” All in favor: 5-0.

L. Davis made a motion to adjourn as sewer commissioners; E. Abrahams seconded. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” L. Davis, “aye,” E. Gabriel, “aye,” G. Reed, “aye.” All in favor: 5-0.

7. APPROVAL OF MINUTES

- a. October 17
- b. October 24
- c. November 7

L. Davis made a motion to approve the minutes of October 17, October 24 and November 7, 2022; E. Abrahams seconded. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” L. Davis, “aye,” E. Gabriel, “aye,” G. Reed, “aye.” All in favor: 5-0.

8. SELECTBOARD’S ANNOUNCEMENTS/STATEMENTS

- a. G. Reed encouraged kindness and outreach to others during the holiday season.
- b. E. Gabriel announced the Thanksgiving Day Housy Hustle Fun Run/Walk starting at 9:30am at the cemetery – a free event, but donations are encouraged to help the Driscoll family.
- c. L. Davis announced the next Housing Subcommittee meeting would be December 6 at 5:00pm.

9. TOWN MANAGER’S REPORT

- a. Winter Parking Ban – C. Rembold stated the winter overnight parking ban from 1:00am-6:00am is in effect November 15-March 31 to allow snowplow access. He noted parking overnight is permitted in Town parking lots.
- b. C. Rembold noted Town buildings would be closed Thanksgiving Thursday and Friday – including Town Hall and the libraries.

10. PUBLIC HEARINGS

- a. (Continued from July 11, September 19) Special permit application from the Southern Berkshire Chamber of Commerce, c/o Betsy Andrus, Executive Director, for new construction in the Village Center Overlay District; work includes replacing the existing visitor booth at approximately 362 Main Street, Great Barrington, with a new larger building in the same location, and a parking waiver. Application is filed in accordance with Sections 9.2, 6.9, and 10.4 of the Zoning Bylaw.

S. Bannon read a statement from Betsy Andrus – I am writing to request a two-month continuance regarding our permit for the new Southern Berkshire Chamber Visitor Center. The volunteer committee of five architects have come up with some amazing ideas, now we are trying to marry their ideas with something the SB Chamber can afford. We would request to be put on the January 23, 2023 agenda.

- i. Vote to open the public hearing
- ii. Presentation / update from the applicant / request for continuance
- iii. Questions from the Board
- iv. Vote to continue the hearing

L. Davis made a motion to approve a two-month extension to Southern Berkshire Chamber of Commerce; E. Abrahams seconded. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” L. Davis, “aye,” E. Gabriel, “aye,” G. Reed, “aye.” All in favor: 5-0.

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b. Steam Noodle Cafe, Jem Ezingayaiwong, Manager for a new Common Victualler Restaurant All Alcoholic Liquor License at 286 Main Street, Great Barrington MA 01230.

- i. Open public hearing

L. Davis made a motion to open the public hearing; E. Abrahams seconded. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” L. Davis, “aye,” E. Gabriel, “aye,” G. Reed, “aye.” All in favor: 5-0.

ii. Explanation - J. Ezingayaiwong appeared and stated she has taken some time to decide to apply for a license and has received customer requests.

iii. Public comments; speak in favor or opposition – There were none.

iv. Close public hearing

L. Davis made a motion to close the public hearing; E. Abrahams seconded. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” L. Davis, “aye,” E. Gabriel, “aye,” G. Reed, “aye.” All in favor: 5-0.

v. Selectboard discussion

- E. Gabriel confirmed the Town would ensure servers are TIPS certified.

vi. Motion; decision

L. Davis made a motion to grant a Common Victualler Restaurant All Alcoholic Liquor License to Steam Noodle Café at 286 Main Street, Great Barrington; E. Abrahams seconded. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” L. Davis, “aye,” E. Gabriel, “aye,” G. Reed, “aye.” All in favor: 5-0.

S. Bannon stated there are 19 attendees and 4 panelists at the meeting.

11. PREVIOUS BUSINESS

a. Housatonic School RFP- board discussion of two proposals – S. Bannon stated the aspirational goal is to have a vote at the meeting, but it would be based on the discussion/agreement - and if there are any open questions, it would be continued to the December 19 meeting.

- Chris Rembold provided an overview of the two proposals from Arete and WDM for the purchase/reuse/renovation of the former Housatonic School and noted there is a summary/ comparison of the proposals in the packet. He stated guidelines for discussion/decision-making should be based on the evaluation criteria in the RFP - financial capacity, operational capability, site and building design, purchase price/rent and financial/other benefits to the Town. C. Rembold highlighted the similarities/differences for the two projects and noted the timeline and finances will be addressed in the contract.
- The Selectboard discussed the high quality of both teams and projects – and benefits to Housatonic/residents, but debated the feasibility of a mixed-use space, renovation budgets, and financing. Of primary concern was Arete’s request for \$2m from the Town, which requires a Town Meeting vote, vs. WDM’s plan to apply for Historic Preservation tax credits. It was stated WDM is experienced in budgeting and executing similar projects in Berkshire County, but it was noted that mixed use space, as suggested by Arete, is supported by the community. Concerns were raised about attracting the right tenant who could also afford the space buildout – though it was clarified by Arete that rent would be as low as possible and that tenant prospects are being researched. There was interest in the simplicity of WDM’s plan for the building’s exterior, but also recognition of Arete’s more expansive landscaping and outside community space as a town center. The Selectboard further discussed the differences and challenges in each project’s budget, financing and timeline balanced but also considered related community benefits. It was noted that both projects include affordable apartments and that remedies for the water quality issues had not been addressed.

iii. Public Comment

- Angela Lomanto, 326 North Plain Road, asked for clarification on Arete’s funding sources – C. Rembold replied they are asking for \$2.7m which includes earmarked Town funds of \$650,000 plus an additional \$400,000 for environmental cleanup.

- P. Carrara commented he would prefer to include mixed use space, but related costs for tenant improvements could be significant. He also noted the affordable units are all studios and asked if there should be 1 or 2 bedroom options for families.
 - Ben Elloitt, 208 Pleasant Street, asked about the definition of affordable housing – C. Rembold replied it is based on a percentage of household income – for this, it is not more than 30%. B. Elliott also raised concerns about Arete’s parking plan for residents and commercial as well as the projects’ potential impact on the Town’s overall rental market. He suggested that those who work/reside in GB have priority for the units; milestones be set and if not met, the developer has to come back to the Selectboard; and for constant, substantive communication and updates between the developer and the community/residents. He also noted environmental impacts as a concern.
 - Sharon Gregory, 32 Hollenbeck Avenue, stated a preference for mixed use – but noted the Selectboard should specify what it does not want in the commercial space as it should be something that contributes to the revitalization of the village.
- iv. S. Bannon stated as there are open questions remaining, so the vote on this will be held at the December 19 meeting.
- v. E. Gabriel stated his view that both options are good, and although one is a bigger lift than the other, long-term goals/benefits should also be considered.
- vi. L. Davis noted GB needs housing at lower income levels for workforce.
- vii. S. Bannon stated we can give preference to people who work in GB – and it is important to stay focused on the Town’s housing goals.

12. NEW BUSINESS

- a. Recommendation to the Planning Board on the Special Permit application for the conversion of the former nursing home at 148 Maple Avenue, Great Barrington to a multifamily use, submitted by 148 Maple Avenue, LLC, PO Box 67425, Chestnut Hill, MA 02467, c/o Nicholas Arienti of Hellman, Shearn & Arienti, LLP, in accordance with Section 8.10 and 10.4 of the zoning bylaw.
- N. Arienti appeared representing the applicant, 148 Maple Avenue LLC, along with Charles Goldman principal for the group managing the conversion of the nursing home. He asked for the Selectboard to consider a recommendation to the Planning Board on this special permit application noting the zoning bylaw allows the conversion for multi-family use of existing nursing homes where zoned residential. He described the reuse of the existing building’s 21,000 square foot footprint, but with refurbishment/adaptation of the internal structure for a 30 unit 1, 2 and 3 bedroom multi-family condominiums and communal space – as well as exterior upgrades of the façade/entrance, lighting and plantings – and noted parking would remain the same at 47 spaces. He referenced the packet which contains the site plan, floorplan and renderings.
- L. Davis made a motion to make a positive recommendation to the Planning Board on the special permit application for the conversion of a former nursing home at 148 Maple Avenue, Great Barrington to multi-family use; E. Abrahams seconded. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” L. Davis, “aye,” E. Gabriel, “aye,” G. Reed, “aye.” All in favor: 5-0.

- b. ARPA Round 2-Executive Summary from staff – C. Rembold stated the Selectboard had previously voted to program approximately fifty percent of federal recovery funds to four areas – affordable housing, Fire Department, Health Department, Ambulance – and there is \$1.04m remaining to be allocated. He stated the Town Manager/staff have recommendations for the allocation based broadly on proposals from local groups for projects that benefit GB residents in

ARPA eligible categories. He shared the proposed allocation/categories - \$540,000 for affordable housing, \$200,000 for food/household assistance, and \$300,000 for healthcare. He requested the Selectboard approve the categories/amounts and the Town staff will find the best use based on the proposals received.

- i. E. Gabriel confirmed fuel assistance would be under the food/household category and that affordable housing is primarily focused on preservation.

L. Davis made a motion to accept staff recommendations as presented and highlighted in the executive summary, figure 1; E. Abrahams seconded. S. Bannon asked if any discussion – E. Abrahams commented the staffs’ process to target funding/decision-making based on survey input worked well to address areas of greatest need. M. Loubert asked about directing ARPA funds to water assistance for Housatonic which may fit in the food/household category – C. Rembold replied it was looked into, but was not deemed as specifically an ARPA eligible expense. E. Gabriel added it did not meet criteria which is focused on infrastructure or health impacts. S. Bannon stated that would be looked into and confirmed by December 5 – and that the categories are broad enough that if it is eligible it will fit. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” L. Davis, “aye,” E. Gabriel, “aye,” G. Reed, “aye.” All in favor: 5-0.

- c. Selectboard meeting schedule for 2023 – The Selectboard agreed to the 2023 meeting schedule and S. Bannon noted Town Meeting would be May 1 if indoors and later if outdoors.

13. CITIZEN SPEAK TIME

- a. M. Loubert stated cars are speeding and running the light at the Division Street Bridge and noted hazards associated with the walkway and street crossing - she asked the Town to investigate. She also questioned whether a business such as Formels should be allowed in a residential area.
- b. B. Elliott asked about a traffic study for Pleasant and Main Streets in Housatonic considering existing hazards and proposed development nearby. E. Gabriel clarified a request has been submitted.

14. SELECTBOARD’S TIME – No Selectboard members asked to speak.

15. MEDIA TIME – No media asked to speak.

16. ADJOURNMENT Chairman Bannon adjourned the meeting by unanimous consent at 8:46pm.

Respectfully submitted,

Stacy Ostrow, Recording Clerk