

Selectboard and Housing Authority Special Joint Meeting and Selectboard Regular Meeting
via Zoom and in person at 334 Main Street Great Barrington MA
Monday, December 19, 2022

1. CALL TO ORDER SELECTBOARD AND HOUSING AUTHORITY MEETING – Chairman Bannon opened the meeting at 5:30pm.

Selectboard members present: Ed Abrahams, Steve Bannon, Leigh Davis, Eric Gabriel, Garfield Reed.

Housing Authority member present: Eileen Mooney, Phil Orenstein.

Additional attendees: Town Manager Mark Pruhenski

a. Joint recommendation to the State for the State appointed seat on the Housing Authority

S. Bannon stated there will be no action on this item as there is no quorum for the Housing Authority - the meeting will be rescheduled.

2. CITIZEN SPEAK TIME – there was none.

3. ADJOURNMENT OF JOINT MEETING – meeting was adjourned.

4. CALL TO ORDER SELECTBOARD REGULAR MEETING – Chairman Bannon opened the Selectboard regular meeting.

5. APPROVAL OF MINUTES

a. November 21, 2022

L. Davis made a motion to approve the minutes of November 21, 2022; E. Abrahams seconded. S. Bannon asked if any discussion – there was none. All in favor: 5-0.

6. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS

a. L. Davis and E. Gabriel thanked the Southern Berkshire Chamber of Commerce and all those involved in organizing this year's Holiday Stroll.

b. E. Abrahams stated he had missed the last meeting, but reviewed the recording and asked how the short-term rental 3% impact fee is collected – M. Pruhenski replied **he would clarify the process/responsibility for collecting the fee through the MA Department of Revenue, the host or a third-party site** – and he confirmed it is being collected now, retroactive to Town Meeting.

7. TOWN MANAGER'S REPORT

a. Housatonic Water Works - M. Pruhenski stated the Town had received two proposals for the appraisal of the Housatonic Water Works system – the project is underway and the final report is scheduled for public presentation at the February 27 Selectboard meeting.

b. Schedule date for Priority Planning Session- January. M. Pruhenski stated the priority list is revisited every six months and a meeting should be scheduled for January. The Selectboard agreed to have a standalone meeting on January 30.

c. Housing Rehabilitation Funds: Community Development Block Grant – M. Pruhenski announced there will be a public hearing at the January 9 meeting to discuss the DHCD application for block grant funds for low to moderate income housing to provide assistance to those homeowners to fund safety improvements to their homes.

8. LICENSES AND PERMITS

a. Annual Selectboard License Renewals

i. As per list attached -

L. Davis made a motion to approve Common Victualler license renewals for the following establishments subject to the submission of all required documentation and fees (licensees cited individually as per the attached list); E. Abrahams seconded. S. Bannon asked for any discussion – S. Bannon stated he would recuse for Fairview Hospital. All in favor 5-0 with S. Bannon recused on Fairview Hospital.

L. Davis made a motion to approve the following Weekday Entertainment license renewals for the following establishments subject to the submission of all required documentation and fees (licensees cited individually as per the attached list); E. Abrahams seconded. S. Bannon asked for any discussion – there was none. All in favor 5-0.

L. Davis made a motion to approve the following Sunday Entertainment license renewals for the following establishments subject to the submission of all required documentation and fees (licensees cited individually as per the attached list); E. Abrahams seconded. S. Bannon asked for any discussion – there was none. All in favor 5-0.

L. Davis made a motion to approve the following Innholders license renewals for the following establishments subject to the submission of all required documentation and fees (licensees cited individually as per the attached list); E. Abrahams seconded. S. Bannon asked for any discussion – there was none. All in favor 5-0.

L. Davis made a motion to approve the following Amusement Device license renewals for the following establishments subject to the submission of all required documentation and fees (licensees cited individually as per the attached list); E. Abrahams seconded. S. Bannon asked for any discussion – there was none. All in favor 5-0.

L. Davis made a motion to approve the following Motion Picture license renewals for the following establishments subject to the submission of all required documentation and fees (licensees cited individually as per the attached list); E. Abrahams seconded. S. Bannon asked for any discussion – there was none. All in favor 5-0.

L. Davis made a motion to approve the following Bowling license renewals for the following establishments subject to the submission of all required documentation and fees (licensees cited individually as per the attached list); E. Abrahams seconded. S. Bannon asked for any discussion – there was none. All in favor 5-0.

L. Davis made a motion to approve the following Class II Auto license renewals for the following establishments subject to the submission of all required documentation and fees (licensees cited individually as per the attached list); E. Abrahams seconded. S. Bannon asked for any discussion – there was none. All in favor 5-0.

L. Davis made a motion to approve the following Class III Auto license renewals for the following establishments subject to the submission of all required documentation and fees (licensees cited individually as per the attached list); E. Abrahams seconded. S. Bannon asked for any discussion –

- Michelle Loubert, 70 Division Street, asked if changes from the previous year are indicated – S. Bannon confirmed there are two asterisks after establishments where there have been changes and under Open Meeting Law only the list has to be part of the agenda, not the details. L. Loubert stated in approving the license, it should be considered that truck traffic from Formel has been an issue.

All in favor 5-0.

L. Davis made a motion to approve the following Restaurant All Alcoholic license renewals for the following establishments subject to the submission of all required documentation and fees (licensees cited individually

as per the attached list); E. Abrahams seconded. S. Bannon asked for any discussion – there was none. All in favor 5-0.

L. Davis made a motion to approve the following Restaurant Wine & Malt license renewals for the following establishments subject to the submission of all required documentation and fees (licensees cited individually as per the attached list); E. Abrahams seconded. S. Bannon asked for any discussion – there was none. All in favor 5-0.

L. Davis made a motion to approve the following Innholders All Alcoholic license renewals for the following establishments subject to the submission of all required documentation and fees (licensees cited individually as per the attached list); E. Abrahams seconded. S. Bannon asked for any discussion – there was none. All in favor 5-0.

L. Davis made a motion to approve the following Retail Package All Alcoholic license renewals for the following establishments subject to the submission of all required documentation and fees (licensees cited individually as per the attached list); E. Abrahams seconded. S. Bannon asked for any discussion – there was none. All in favor 5-0.

L. Davis made a motion to approve the following Retail Package Wine & Malt license renewals for the following establishments subject to the submission of all required documentation and fees (licensees cited individually as per the attached list); E. Abrahams seconded. S. Bannon asked for any discussion – there was none. All in favor 5-0.

9. PUBLIC HEARINGS

- a. Hillcrest Education Centers to amend the existing 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 5 Ramsdell Road, Great Barrington, MA 01230.

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.

- i. M. Pruhenski for Chief Berger stated on the Hillcrest campus on Ramsdell Road there are preexisting petroleum storage tanks throughout the property for each building – a recent inspection showed the total quantity of fuel being stored is over the permitted limit approved by the Selectboard. The current application is to increase the limit to the amount as stated in the packet to bring it into compliance. He clarified there are no issues and no major increase in the amount stored, it just exceeds the prior approved amount.

- ii. S. Bannon asked for any public comment – there was none.

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.

L. Davis made a motion to amend the existing license for keeping petroleum in accordance with Chapter 148, Sections 9 and 13 of the MGL at 5 Ramsdel Road, Great Barrington, Hillcrest Education Centers; 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.

10. PREVIOUS BUSINESS

- a. Housatonic School RFP- board discussion and vote to select a developer. S. Bannon stated both

developers, Dave Carver representing WDM and Jeff Glickman representing Arete, are in attendance to briefly present/answer any outstanding questions.

- i. J. Glickman provided response to questions raised by the Selectboard/citizens at the last meeting – and noted additional documents/addendums were submitted. New information included the addition of a building-wide water filtration system; redesigned parking with additional spots; flexibility for the commercial space for more than one tenant; receipt of letters of intent from two potential tenants proposing a laundromat and a gym and an offer of \$30,000 towards tenant enhancements; and a willingness to apply for Historic Tax Credits, but with a longer timeframe for project completion. He also stated the total request for Town support would be reduced to \$2.1m.
- ii. G. Reed asked if Arete's water filtration system would address the manganese issue – J. Glickman replied he believed it would and there would be upkeep of the system at no additional cost to tenants.
- iii. E. Gabriel asked for clarification on the impact of Arete's new parking plan – J. Glickman replied it did not encroach on the Hillside property line and there would need to be some adjustments/relocation of cars for the pop-up tent/events. E. Gabriel also confirmed the commercial space is handicap accessible, but the apartments are not as there would not be an elevator.
- iv. E. Abrahams asked if Arete would be asking for historic tax credit financing and would that increase costs - J. Glickman replied yes, and that is accounted for in the new reduced ask of the Town.
- v. D. Carver confirmed WDM's request of the Town is for the \$650,000 as noted in the RFP towards renovation costs and for a standard tax agreement. He noted due to inflation, he may ask for a CPA loan of \$250,000 to stabilize the roof - but would not ask for additional environment remediation funds.
- vi. E. Gabriel asked/confirmed Arete would seek a tax agreement and J. Glickman stated that is over and above the \$2.1m request.
- vii. L. Davis thanked J. Glickman for outreach to potential tenants, but questioned the reliability of their interest and efforts so late in the process. J. Glickman stated the RFP did not ask for a confirmed tenant and he noted a commitment would be unlikely at this point. L. Davis stated continuing concerns about finding a commercial tenant and significant additional funds being requested of the Town.
- viii. S. Bannon asked for any public comment –
 - Cecelia Turner, 208 Pleasant Street, expressed appreciation for the two proposals and good discussion – but stated concerns about Arete's large ask for Town funding.
 - Pat Hollenbeck, 1075 Main Street, stated the request for \$2m from the Town should be viewed as an investment in Housatonic – and urged a full consideration of the proposals with no time pressure.
- ix. E. Gabriel shared his view that the two plans are very appealing – but preferred Arete's which would be a more significant investment in Housatonic. He noted the Housatonic Improvement Committee's research showed strong interest in mixed use for the property. He urged a focus on overall long-term benefits for Housatonic and supported having commercial space for a laundromat or gym.
- x. G. Reed stated the water filtration system had always been in the WDM proposal and he was supportive of WDM's plan.

- xi. S. Bannon stated he was unwilling to endorse a Town Meeting ask for \$1.4m and the two proposals benefit Housatonic equally. He noted previous attempts to find a commercial tenant for the property were unsuccessful and stated he had more

confidence in the WDM proposal and their experience with similar properties. He also noted this is the last chance to make use of the building as it is deteriorating.

- xii. L. Davis raised questions about next steps/options if Arete's funding request is turned down at Town Meeting – she noted the process would likely have to start over.
- xiii. E. Abrahams stated Arete's proposal meets the RFP criteria, but the amount of Town funding requested needs to be balanced with that.
- xiv. Then Selectboard agreed the proposals had been assessed against the criteria at the last meeting.

L. Davis made a motion to award the Housatonic School development to WDM; E. Abrahams seconded. S. Bannon asked if any discussion – E. Gabriel stated he liked both proposals, but would like to shoot high and noted other large projects had been approved at Town Meeting. S. Bannon stated both projects are high level and the Town has other pressing projects needing funding. Roll call vote: E. Abrahams, "aye," S. Bannon, "aye," L. Davis, "aye," E. Gabriel, "no," G. Reed, "aye." Motion passed: 4-1.

11. NEW BUSINESS

- a. Vote to approve financing agreement for wastewater pump station upgrades - Alicia Dulin, Treasurer/Collector stated the Town is borrowing for pump upgrades at the wastewater treatment plant that was approved at the 2014 Town Meeting – the project is ready to start, and this request is for Selectboard approval for a \$4,508,962 loan from the MA Clean Water Trust at 2% interest. She added she was just informed that Town is eligible for loan forgiveness for \$432,432.

L. Davis made a motion to approve the General Obligation Interim Loan Note with MA Clean Water Trust for wastewater treatment plant upgrades; E. Abrahams seconded. S. Bannon asked if any discussion – there was none. All in favor: 5-0.

- b. Host Community Agreement Renewal-Theory Wellness/Brandon Pollack – S. Bannon stated this item is not ready to be discussed and will be postponed.
- c. State Economic Development Funding for Shuttle Service/\$150k – M. Pruhenski stated this is a request from staff for guidance - part of the economic development bill filed by Senator Hines requested \$150,000 for shuttle service from Great Barrington to Wassaucutt and is now with MassDOT. He stated the next step would be for the Town to file an application for funds and have it transferred to the Town.
 - i. E. Gabriel stated his view that these funds were misdirected and should have been allocated to address the Housatonic water crisis – and he suggested the Town appeal to the new governor to reallocate the funds. He also raised concerns about how the shuttle would be managed/run after the initial funding runs out – and noted this is more for a private company to run, not the Town
 - ii. L. Davis stated the Town should continue to pressure the state for funds to help with Housatonic residents/water issues, but the \$150,000 should be used for what it was earmarked for – including a feasibility study. She stated residents are interested in having a shuttle – and the Town can pursue both the shuttle and Housatonic resident assistance. She also stated there could be state subsidies for the shuttle long-term - GB would initiate, but other towns are also interested – and this project is important to economic development which should be a priority.

- iii. E. Abrahams stated he agreed with E. Gabriel and the shuttle service is not on the priority list and should be discussed fully and in relation to other priorities if it is to be added. He noted an additional \$150,000 for Housatonic would be meaningful.

E. Gabriel made a motion to request that the new governor redirect this \$150,000 funding to the Housatonic water crisis; E. Abrahams seconded. S. Bannon asked if any discussion – G. Reed stated the shuttle would not help most people in GB and funds could be used more effectively elsewhere especially for Housatonic. S. Bannon stated it is unfortunate that the Town was not asked for input on the funds and their allocation – and noted the poor optics of including them in the same bill. He stated his preference for \$250,000 to be directed to assist Housatonic residents – and though the shuttle is a good idea, a feasibility study would need to solve for who would run/pay for it – he noted it is not a priority for the Town, but would like to be able to do both.

- Karen Smith, 5 Monument Valley Road, stated the Housatonic water situation is the overriding issue and the funds should be redirected to those efforts, not to a shuttle service. She added that providing residents with transportation in town is more important and the costs/logistics/operations required to run a transportation program are significant.
- John Mercer, Park Street, stated a taxi service to Wassiac would be useful, but transporting people from neighboring towns is more important.

Motion passed: 4-1.

12. CITIZEN SPEAK TIME

- a. Eileen Mooney confirmed the motion just passed is to ask the governor to reallocate funds and that the added documents for the Housatonic School project will be posted on the Town website. She also asked about the status of the Commission on Disability – M. Pruhenski replied efforts have been made to get additional members – at this point there is no quorum.
- b. Ben Elliott, 208 Pleasant Street, asked if zoning in Housatonic village has been reexamined in relation to plans for the school renovation – Chris Rembold replied the old B2 zone was eliminated several years ago and replaced with the Housatonic Village Center zone which allows for mixed use and other forms of development including changes such as reduced parking requirements and smaller lot sizes. B. Elliott stated, go forward, new infrastructure is needed such as sidewalks, lighting and street parking – C. Rembold replied it can be revisited now that there is a plan for the school. S. Bannon stated if it is critical it can be considered for addition to the DPW priority list.

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

14. MEDIA TIME – No media asked to speak.

15. ADJOURNMENT - Chairman Bannon adjourned the meeting by unanimous consent at 6:50pm.

Respectfully submitted,

Stacy Ostrow, Recording Clerk