

Selectboard Meeting Minutes for October 5, 2020

<https://us02web.zoom.us/j/86418786665?pwd=ZVhsT3pJSTZhcmItQkVEejUxWXVxZz09>

Dial in: (929) 205 6099

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*****ALL VOTES ARE ROLL CALL*****

1. CALL TO ORDER: Chairman Bannon opened the meeting at 6:00 pm, those “present” via zoom: Ed Abrahams, Kate Burke (arrived at 6:09 PM), Leigh Davis, Bill Cooke, and Town Manager, Mark Pruhenski
 - a. Chairman Bannon made a statement condemning the defacement of the Macedonia Baptist Church.
2. SELECTBOARD’S ANNOUNCEMENTS/STATEMENTS
 - a. Leigh Davis stated that the Community Preservation Committee will be reviewing the Step One Applications on Tuesday, October 6th at 5:00 PM.
3. TOWN MANAGER’S REPORT
 - a. Housatonic Water Works Update
 - i. Housatonic Water Tower is privately owned by Monumental LLC.
 - ii. DPC and AECOM engineering firms are creating reports that 1) review HWW treatment and distributions systems to identify long term capital costs and liabilities, 2) review proposed solutions to water quality issues, and 3) conduct appraisal of system.
 - b. Nov. 15th Winter Parking Ban Reminder
 - c. Retirement Announcement
 - i. Helen Kuziemko is retiring at the end of October.
 - d. South County Elderly/Disabled Transportation Update
 - i. Council on Aging can be reached for transportation options at 413.528.1881.
 - ii. BRTA Vans available by November 1st.
 - e. Next Virtual Coffee Meeting- Update
 - i. Third session will be held on Wednesday, October 14th at 10 AM.
 - f. Amanda DeGiorgis- GB Libraries Update
 - i. Executive summary available on library services throughout COVID19.
 - ii. L. Davis asked if it would be possible to open the Children’s Area for homework. A. DeGiorgis responded that they are trying to figure out how to do this while keeping the area clean and children socially distanced.
 - iii. E. Abrahams stated that the library does have WiFi available outside and that he sees many people taking advantage of this. Also, that Friends of the Library is offering free books outside and there have plenty of generous book donations.
4. LICENSES AND PERMITS
 - a. Jennie Reins, c/o Kelly, Granger, Parsons, & Associates for proposed common driveway to be located on the Westerly side of Alford Road approximately 1,000 feet southerly of the intersection with Hurlburt Road (Discussion/Vote)
 - i. E. Abrahams stated that the conditions (page 8, section E) read that a culvert is not located in this location, but the map shows several culverts. Christopher Rembold suggested that this be brought to the Planning Board’s attention.

- ii. E. Abrahams made a motion of approval pending the Planning Board's comments regarding the culvert; B. Cooke seconded; Roll Call Vote; L. Davis, "aye"; K. Burke, "aye"; B. Cooke, "aye"; E. Abrahams, "aye"; and S. Bannon, "aye"; All in Favor, 5-0.

5. NEW BUISNESS

- a. Ramsdell Library Report: Rob Cullin and Janet Nelson, RethinkingLibraries.org
 - i. R. Cullin and J. Nelson gave a brief summary of their assessment on the Ramsdell Library. Now that the report is complete, an application will have to be submitted to the state's grant program and the archeological survey will have to be completed.
 - ii. L. Davis asked about the work on the windows and HVAC concerns. R. Cullin suggested that it is better to make renovations sooner rather than later, on a budget standpoint.
 - iii. Eileen asked if any library trustees were present at the meeting and if there was a bid for a library ramp. Cathy Plungis and Patrick Hollenbeck are present at the meeting. M. Pruhenski answered that he would investigate the possible bid, but he does not recall.
- b. Zoom Meeting Format (Discussion)
 - i. L. Davis stated the currently, there is no way to see who is present on the Zoom Selectboard meetings. M. Pruhenski reached out to Zoom to see if there is an option to list meeting attendees, but it is not currently possible. A creative solution would be for an admin to "screenshot" attendees list, but not everyone uses a name, but rather their phone number.
 - ii. Nan Wile believes that the current Zoom meeting format may influence citizens willingness to speak-up and give input.
 - iii. Heather Bellow asked why the Selectboard does not want to make the attendee's names visible. Chairman Bannon stated that it is not that the Selectboard does not want to make the names visible, but rather that the Webinar format does not allow the list to be shown. The Open Meeting format shows the attendee list but bounces around to random attendees rather than focusing on the chairmen.
 - iv. Claudia Shapiro stated that she called the Open Meeting Law Attorney General regarding this issue, and that the Town of Great Barrington should be working with the Open Meeting Law Office on this.
- c. Music on Main Street
 - i. E. Abrahams has been working with Robin Helfand on ways to attract people outdoors and to Great Barrington. One idea would be to bring entertainment to downtown GB on one Saturday per month starting in November.
 - ii. E. Abrahams made a motion to endorse Music on Main Street; L. Davis seconded; Roll Call Vote; L. Davis, "aye"; K. Burke, "aye"; B. Cooke, "aye"; E. Abrahams, "aye"; and S. Bannon, "aye"; All in Favor, 5-0.
- d. Claudia Shapiro- Open Meeting Law Complaint #2 (Discussion/Vote)
 - i. B. Cooke made a motion to approve M. Pruhenski's letter of response to Claudia Shapiro; E. Abrahams seconded; Roll Call Vote; L. Davis, "aye"; B. Cooke, "aye"; E. Abrahams, "aye"; and S. Bannon, "aye"; All in Favor, 4-0. K. Burke recused herself from the vote.

6. OLD BUISNESS

- a. Halloween Trick or Treat (Discussion/Vote)
 - i. An executive summary from Rebecca Jurczyk has been provided.

- ii. L. Davis has asked that Trick or Treating be cancelled in 2020 and to look into lower-risk activities, in response to COVID19.
 - iii. E. Abrahams states that M. Pruhenski should be the party responsible for the final call pending the Berkshire Manager's Meeting.
 - iv. K. Burke suggested the "Reverse Parade" format and to also see what other towns are doing before making a final decision.
 - v. E. Abrahams made a motion to, pending the outcome of the Berkshire Manager's Meeting, to allow M. Pruhenski make a decision regarding 2020 Trick or Treat; B. Cooke seconded; Roll Call Vote; L. Davis, "aye"; K. Burke, "aye"; B. Cooke, "aye"; E. Abrahams, "aye"; and S. Bannon, "aye"; All in Favor, 5-0.
- b. SB Liaison Lists-carry forward from September 21st meeting.
 - i. The Selectboard decided to do away with the SB Liaison List.
- c. GBHA Complaint/Eileen Mooney- Town Manager update on status.
 - i. Due to the confidential manner of this situation, M. Pruhenski recommended to schedule an executive session to discuss this complaint.
 - ii. Executive Session has been scheduled for Wednesday 10/28 (backup date is scheduled for Monday 11/02).
 - iii. E. Abrahams made a motion to, pursuant to the Board's authority under General Law Chapter 121B Section 6, hold an executive session under purpose 1 on Wednesday 10/28 with prior notification in writing to Mr. Mercer as required by law, with an alternate date of November 2; B. Cooke seconded; Roll Call Vote; L. Davis, "aye"; K. Burke, "aye"; B. Cooke, "aye"; E. Abrahams, "aye"; and S. Bannon, "aye"; All in Favor, 5-0.

7. PUBLIC HEARING

- a. Special Permit application from Berkshire Aviation Enterprises, Inc., for a an aviation field in an R4 zone at 70 Egremont Plain Road, Great Barrington, per Sections 3.1.4 E(1) and 10.4 of the Zoning Bylaw.
(Continued from August 10, August 24, September 14, and September 21, 2020)
(Discussion/Vote)
 - i. Re-Open Public Hearing
 - 1. E. Abrahams made a motion to reopen the public hearing, B. Cooke seconded; Roll Call Vote; L. Davis, "aye"; B. Cooke, "aye"; E. Abrahams, "aye"; and S. Bannon, "aye"; All in Favor, 4-0. K. Burke recused herself from the vote.
 - ii. Explanation of Project
 - 1. Chairman Bannon does not anticipate any public comments. He will take input from attorney David Doneski. The chairmen will then hear from the airport's attorney Dennis Egan. The Selectboard will then ask questions and start open discussion. Chairman Bannon is hoping to close Public Hearing after this meeting and begin to discuss findings of fact at next meeting.
 - iii. Speak in Favor/Opposition
 - 1. D. Doneski summarized elements included in 10/02 memorandum provided to the board. He stated that "To the extent that a) construction of the hangar buildings or other proposed facilities, or use of the constructed buildings or facilities, will include handling of toxic or hazardous materials; or b) the uses to be conducted within the hangars, or on or in the other facilities proposed to be constructed, will increase the

level of handling of toxic or hazardous materials on the Property, it is my opinion that such activity would be subject to the requirement of a special permit under subsection 9.2.12.2 of the Zoning Bylaw.”

2. L. Davis questioned what control is being given up if the special permit is granted. D. Doneski responded that town refer to the applicant’s attorney to see what, other than the addition of hangars, they would plan on doing. Dennis Egan states that the special permit application is required for even minor alterations to the airport’s footprint. The reason the airport is going to the Selectboard for a special application, rather than straight to the Zoning Board, is to be thoughtful in this process.
3. E. Abrahams questioned why the airport does not need a special permit currently, as they may possibly handle more than the household use of toxic waste. D. Doneski stated that he used the airport’s current condition as a “baseline” of functionality.
4. B. Cooke questioned if the number of aircraft housed at the airport could be limited. D. Doneski stated that this would have to be discussed with the airport. E. Abrahams stated that DOT already stated that this cannot be limited by the town. D. Doneski responded that this may be a condition that could be accepted by the applicant.
5. D. Egan states that the building of hangars will not necessarily increase the traffic at the airport, but rather offer the aircrafts a place to be housed indoors and privately. Restaurants, retail stores, bigger airplanes will not be possible.
6. L. Davis questioned what D. Egan was referring to with “minor alterations”. D. Egan stated that the airport is of non-conforming status, which means that they refer to the Selectboard/Zoning Board for any changes at all. If the airport was of conforming status, they would have to refer to just the bylaws, not the Selectboard/Zoning Board.
7. L. Davis asked if there was a way to see all ZBA granted permits for the airport. D. Egan said that those records can be found with the Building Inspection Department. D. Egan also stated that all upgrades made to the airport have been made with permits granted by the ZBA. The Town Staff will look up the accepted permits for the Selectboard.
8. B. Cooke asked if it was possible to make a condition regarding the number of defense aircrafts that take off and land in the airport. D. Doneski responded that conditions could be made, but they could be revoked by higher authorities, such as Department of Defense.
9. L. Davis asked how the arrangement for the Black Hawks landing in the airport came to be. D. Egan stated that the arrangement was pre-existing and pre-dated current ownership. L. Davis asked if removing airport access to the Black Hawks may be a condition that the applicants may be interested in exploring. D. Egan stated that he would get back to the Selectboard on this question.

iv. Motion to Close or Continue Public Hearing

1. E. Abrahams made a motion to continue the public hearing on Tuesday 10/26, B. Cooke seconded; Roll Call Vote; L. Davis, “aye”; B. Cooke, “aye”; E. Abrahams, “aye”; and S. Bannon, “aye”; All in Favor, 4-0. K. Burke recused herself from the vote.

8. CITIZEN SPEAK TIME *Citizen Speak Time is an opportunity for the Selectboard to listen to residents. Topics of particular concern or importance may be placed on a future agenda for discussion. This time is reserved for town residents only unless otherwise permitted by the chair, and speakers are limited to 3 minutes each.*

i. Dr. Haynes, 220 North Plain Road

1. Dattatreya Haynes stated that due to COVID19, communication has become more challenging. Some citizens need IT help for these town Zoom meetings. After speaking with M. Pruhenski and A. DeGiorgis, it has become evident that the library does not have a designated IT person that can help the citizens. Dr. Haynes has asked if the Selectboard has any recommendation on who citizens can reach out to for help with their IT-related problems. Chairman Bannon stated that he will get back to Dr. Haynes.
2. Tad Heuer has asked if the board will accept more public comments regarding the airport. Chairman Bannon has stated that the board will no longer accept verbal public comment, but that they always accept written comments.
3. Hillary Rush asked if there was an update on HWW. Chairman Bannon stated that he gave an update at the beginning of the meetings, but that it is a still ongoing issue that the board is looking into.

9. SELECTBOARD'S TIME

- a. K. Burke has asked that the board review how the current Police Hate Crime policy was upheld with the Macedonia Baptism Church hate crime, and make applicable changes if necessary. With Indigenous Peoples Days approaching, K. Burke also wanted to acknowledge that the town is Mohegan Territory.

10. MEDIA TIME

11. ADJOURNMENT Chairman adjourned meeting by unanimous consent at 8:24 p.m.

Respectfully submitted,

*Brooke M. Morehouse
Recording Clerk*