

SELECTBOARD'S MEETING MINUTES

MONDAY, MARCH 11, 2019

7:00 PM – REGULAR SESSION

TOWN HALL, 334 MAIN STREET

Present:

Selectboard: E. Abrahams, D. Bailly, B. Cooke, K. Burke

Town Manager: J. Tabakin

Absent: S. Bannon

7:00 PM - OPEN MEETING

1. CALL TO ORDER: E. Abrahams called the meeting to order at 7:00PM

2. APPROVAL OF MINUTES:

December 17, 2018 Regular Meeting.

1. E. Abrahams requested edits be made.

MOTION: D. Bailly made a motion to accept as amended.

SECOND: B. Cooke

VOTE: 4-0

3. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS:

A. General Comments by the Board.

1. **K. Burke** and B. Cooke request Short Term Rentals be added to the Agenda for the next Selectboard Meeting.
2. **B. Cooke** reported that the Lake Mansfield Improvement Task Force will have a Public meeting on Tuesday March 26th at 5:30 at the Firehouse to go over what has been learned from the Engineers, and to report findings to the Public.

4. TOWN MANAGER'S REPORT:

A. Department Updates - **NONE**

B. Project Updates.

1. Downtown Construction Schedule

- Church, School and Elm Streets – Work will begin between March 11 and March 18, with a Monday-Friday, 7:00AM-3:30PM schedule, and is expected to commence on June 30th, Inquiries to be directed to the Department of Public Works. The contractor is Northern Construction Company.
- 2019 Downtown Street Projects include Bridge St. from Main St. to River St., Church St., School St., Elm St., and Railroad St. including the upper parking lot. Work includes sidewalks, drainage, curbs, pavement, new trees, and Railroad Street will get new decorative street lights.
- There will be no work during the film festival, on Patriots Day or Memorial Day.
- All roads will remain open, there will be temporary lane closures and work schedule will be weather-dependent.

5. LICENSES OR PERMITS:

A. David P. Ryel/Butternut Basin Inc. for One Day Beer and Wine Liquor License for March 16, 2019 from 12:00 Noon - 8:00 pm at 380 State Road. (Discussion/Vote)

MOTION: D. Bailly made a motion to approve David P. Ryel/Butternut Basin Inc. for One Day Beer and Wine Liquor License for March 16, 2019 from 12:00 Noon - 8:00 pm at 380 State Road.

SECOND: B. Cooke

VOTE: 4-0

6. OLD BUSINESS:

A. Housatonic Water Works Company – Update.

Bill Martin, Esq – Martin & Oliveira, LLP

Speaking on behalf of Housatonic Water Works Company and Jim Mercer regarding the phase two rate increase that is scheduled to be going into effect. The concern raised during the conference call was related to HWWC's ability to install all new meters. There are 28 property owners who have not responded to any communication to authorize access to have meters changed. In 8 properties, plumbing repairs are needed before new meters can be installed. 9 properties are vacant, therefore do not need new meters at this time. 8 property owners are concerned about the cell monitored meters.

Town concerns are to be discussed tonight.

D. Bailly asked what the next phase of Capital Improvement is, if there are any. There are none this year. They do need to finish treatment buffering for the PH Treatment as required by the DEP. As far as hydrant flushing/inspecting, the Town does not receive reports on these. It is not part of the protocol, but if repairs are done, they are listed in the DPU return, which the Town does receive copies of.

E. Abrahams asked what the difference is between the old and new meters. Mr. Mercer advised that the new readers are more accurate for billing, and there is no way to shut off the old ones, if something were to happen.

K. Burke asked for clarification on the rate hike. The 2016 rate hike was broken into two phases. The meter upgrades had to be completed before phase 2 of the hike could be put into place.

D. Bailly asked if Housatonic Water Works has spoken with the Fire Department about expanding or combining services. HWW does have a current agreement with the Fire Department to connect to each other in case of emergency.

K. Burke asked if the new meters are able to be shut off when flushing is occurring. Mr. Mercer said they are not "smart" meters that are able to be shut off remotely, but they can show leaks, and will be able to gather data to show long term trends. The system is not linear with flushing, so they cannot monitor it.

D. Bailly asked what the total mileage of pipe is. Mr. Mercer advised that it is 19 miles, 25% of which has been replaced in the last 20 years. This is consistent with the rest of the country. The main line running from Long Pond to Town Center was put in in 1894.

J. Tabakin asked the Board to get the word out to the 53 homes to comply with Housatonic Water Works.

MOTION: D. Bailly made a motion to authorize the Town Manager to report back to DPU that the rate increase is satisfactory.

SECOND: B. Cooke

VOTE: 4-0

7. NEW BUSINESS:

- A. SB – To Approve Marijuana Product Manufacturer Host Community Agreement.
(Discussion/Vote)

The retail host agreement was reviewed by the Board and Town Counsel to be adapted from Retail to Manufacturing.

Changes Include:

1. Page 1: Changes to wording from “retail” to “product manufacturing”
2. Page 5: If various things happen-things missing, etc., police must be notified.
3. Page 8/9: Issues dealing with wastewater and odor control to prevent issues with neighbors.
4. 3% of sales tax charged by state, comes back to town.
5. 3% Community Impact Fee to mitigate any negative effects. The manufacturers are asking this be decreased to 1.5% due to the fact that they are not selling directly, therefore have less of an impact on the community.

CITIZEN SPEAK:

Andrew Katkin/Jacob Stricof – Superfine Edibles

Looking to open and produce “Superfine Edibles” shop in Great Barrington, and spoke in favor of reducing the 3% Community Impact Fee to 1.5% . Great Barrington is business friendly, a location has been identified, and a lease is in progress.

6. 3rd payment required for marijuana establishments is a \$10,000 contribution to non-profits. It was changed to 1% of profits up to \$15,000.00.

MOTION: B. Cooke made a motion to accept the template Marijuana Product Manufacturer Host Community Agreement with 1.5% Community Impact Fee.

SECOND: K. Burke

VOTE: 3-1, D. Bailly opposed

DISCUSSION: K. Burke would like to see the Community Impact Fee reduced to 1.5% for micro-business, and the full 3% for those who are larger.

MOTION: K. Burke made a motion to amend the previous motion to include the Community Impact Fee reduced to 1.5% for micro-business, and the full 3% for those who are larger.

SECOND: B. Cooke

VOTE: 3-1, D. Bailly opposed.

- B. SB – Appointment of Selectboard Liaison to the Strategic Sustainability and Livability Committee. (Discussion/Vote)

MOTION: D. Bailly made a motion to appoint K. Burke as Selectboard Liaison to the Strategic Sustainability and Livability Committee

SECOND: B. Cooke

VOTE: 4-0

- C. SB – Appointment of member to the Conservation Commission. (Discussion/Vote)

MOTION: D. Bailly made a motion to appoint Andrew Didio as a member to the Conservation Commission

SECOND: B. Cooke

VOTE: 4-0

- D. - Open Space and Recreation Plan – Discussion
- Creation of Task Force. (Discussion/Vote)

C. Rembold-Town Planner

The Town is embarking on an update to the Open Spaces Plan as required every five years to remain eligible for grants/funding/etc. The creation of a task force to work on this plan is highly recommended, as appointed by the Town Manager, consisting of members of the Selectboard, 3 citizens, Planning Board, Conservation Committee, etc.

MOTION: D. Bailly made a motion to create an Open Space Task Force.

SECOND: B. Cooke

VOTE: 4-0

MOTION: D. Bailly made a motion to appoint K. Burke as the Selectboard Representative on the Open Space Task Force.

SECOND: B. Cooke

VOTE: 4-0

- E. - Discussion of Hazard Mitigation Planning (HMP) and Municipal Vulnerability Preparedness (MVP) Grant Application
- Creation of Task Force. (Discussion/Vote)

C. Rembold-Town Planner

The MVP has a new program, which can run parallel to HMP. Grant requires a small local match, and a local committee to run. This sets up the community to be resilient regarding climate change, and to be prepared in case of disaster.

MOTION: D. Bailly made a motion to apply for the MVP Grant by the end of the month.

SECOND: B. Cooke

VOTE: 4-0

MOTION: D. Bailly made a motion to designate the Strategic Sustainability and Livability Committee to work with the Town Planner on the MVP/HMP projects

SECOND: B. Cooke

VOTE: 4-0

8. CITIZEN SPEAK TIME: NONE

9. SELECTBOARD'S TIME:

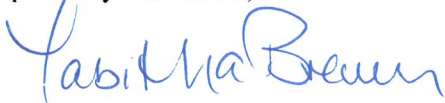
D. Bailly asked that a conversation regarding marijuana establishments and bylaws be added to the next agenda.

10. MEDIA TIME:

Eileen Mooney asked if there is a report available from the Town Manager Search Committee. E. Abrahams will follow up.

11. ADJOURNMENT: On a motion by D. Bailly, and Seconded by B. Cooke, the meeting adjourned at 7:52PM.

Respectfully Submitted,



Tabitha Brewer
Recording Secretary