

Selectboard Regular Meeting via Zoom
Monday, April 26, 2021

1. CALL TO ORDER SELECTBOARD REGUALR MEETING - Chairman Bannon opened the meeting at 6:00pm; those present via zoom: Ed Abrahams, Kate Burke, Bill Cooke, Leigh Davis. Town Manager Mark Pruhenski; Assistant Town Manager Chris Rembold.

2. SELECTBOARD’S ANNOUNCEMENTS/STATEMENTS

3. TOWN MANAGER’S REPORT

- a. Housatonic Water Works – M. Pruhenski stated there was nothing new to report. It is a standing agenda item
- b. Elderly Tax Deferral PILOT Program Update – M. Pruhenski thanked residents for continuing to reach out in support of the Program and he asked for patience while the executive summary/recommendations are developed for Selectboard review.
- c. Library Updates – M. Pruhenski introduced Angela DeGiorgis, Library Director, to provide an update on the Mason and Ramsdell libraries. A. DeGiorgis stated part of the Mason Library will open on a limited basis with all COVID protocols in place and curbside would continue. Ramsdell will continue with curbside as air circulation issues are being addressed. The library is also in the process of hiring for open positions.
 - i. M. Pruhenski clarified these are existing not new positions – the return of furloughed staff.
- d. Public Works–Spring/Summer Project Updates – Sean VanDeusen provided an update on multiple projects getting started/completed in the Spring/Summer timeframe. They included – sidewalk replacement in Housatonic, re-paving of multiple parking lots/streets, Town Hall steps and elevator replacement, sewer repair, memorial field/Olympia meadows upgrades, Division Street bridge work, Main Street crosswalks enhancements, Transfer Station compactor repair and many others.
 - i. M. Pruhenski clarified that all projects were approved at Town Meeting. The extensive list/backlog is due to delays resulting from COVID.
 - ii. K. Burke asked how residents are advised of this work and potential delays? M. Pruhenski replied it is through the CodeRED system and social media. He also stated that S. VanDeusen would provide updates as projects progress.

4. LICENSES AND PERMITS

- a. Spring Real Estate and Outdoor Coin-Operated License Renewals
 - i. Coin Operated Soft Drink
 - 1. Bard College at Simon’s Rock
 - 2. Berkshire South Regional Community Center
 - 3. Cove Bowling and Entertainment
 - 4. Fairview Hospital
 - 5. Wind in the Pines

S. Bannon stated he would recuse as he is an employee of Fairview Hospital

E. Abrahams made a motion to approve the following Coin Operated Soft Drink License Renewals: Bard College at Simon’s Rock, Berkshire South Regional Community Center, Cove Bowling and Entertainment, Fairview Hospital, Wind in the Pines: B. Cooke seconded. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “aye,” K. Burke, “aye,” B. Cooke, “aye,” L. Davis, “aye,” S. Bannon, “recused.” All in favor, 4-0.

- ii. Real Estate Sign Licenses

1. Cohen & White Associates LLC
2. Barnbrook Realty
3. Berkshire Property Agents
4. Great Barrington Owner, LLC
5. Helen Mullany Real Estate, LLC
6. Lance Vermeulen Real Estate
7. MacCaro Real Estate
8. Roberts & Associates Realty
9. Stone House Properties
10. Wheeler & Taylor Realty
11. William Pitt Sotheby's Real Estate
12. Fairground Real Estate
13. Alden Country Real Estate Services

E. Abrahams made a motion to approve the following Real Estate Sign Licenses: Cohen & White Associates LLC; Barnbrook Realty; Berkshire Property Agents; Great Barrington Owner, LLC; Helen Mullany Real Estate, LLC; Lance Vermeulen Real Estate; MacCaro Real Estate; Roberts & Associates Realty; Stone House Properties; Wheeler & Taylor Realty; William Pitt Sotheby's Real Estate; Fairground Real Estate; Alden Country Real Estate Services; B. Cooke seconded. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “aye,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

- b. Karen Beckwith of the Great Barrington Fish and Game Club 338 Long Pond Road, for a temporary One Day Beer & Wine License for their Father's Day Lobster and Clam Shoots on Sunday, June 20, 2021 from Noon to 6:00 PM

E. Abrahams made a motion to approve with the following conditions: comply with the temporary sign bylaw; comply with state COVID capacity limits at the time of the event; comply with all other state COVID restrictions – work with our health agent to determine those; encourage safe distancing between attendees and require masks; B. Cooke seconded. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “aye,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

- c. Great Barrington Art Market, c/o Molly de St Andre and Kristen Kanter, Managers and the Great Barrington Farmer's Market, for permission to close Church Street between Main Street and School Street, on Saturdays from 7:00 AM to 3:00 PM beginning May 8 to October 30, 2021.

E. Abrahams made a motion to approve a permit to close Church Street between Main Street and School Street, on Saturdays from 7:00 AM to 3:00 PM beginning May 8 to October 30, 2021 to Molly de St Andre and Kristen Kanter for the Great Barrington Farmer's Market; B. Cooke seconded. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “aye,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

- d. Nicholas Hall of Green Minded Events for a Temporary Entertainment License for Saturday, July 10, 2021 from 12:00 PM to 8:00 PM at the Great Barrington Fair Grounds, 659 Main Street

E. Abrahams made a motion to approve with the following conditions: event organizers be in touch with the Health Department regarding food permits, plans for potable water on site, and COVID-related safety protocols; temporary event signs are allowed, but must be permitted by the Building Department; organizers should be aware that tents may require permitting through the Building Department; any generators must be set up by licensed electricians and are subject to inspection by the Building Department; the Police Department requires two detail officers, one for traffic and one

onsite, to be reserved in advance by the organizers with the Police Department; all dogs, if permitted by the organizers, must be on leash, and no pets are permitted to remain unattended inside cars; no people or pets are allowed in the wetlands areas or in the grandstand or other hazardous buildings onsite; encourage safe distancing and require masks; B. Cooke seconded. S. Bannon asked if any discussion –

- i. L. Davis and E. Abrahams asked for additional information/plans for the event. E. Abrahams withdrew his motion; B. Cooke withdrew his second.
- ii. S. Bannon asked M. Pruhenski to move the item to the next agenda and for the applicant to attend the meeting.

- e. Andy Moro for the American Legion Murphy-Leary, Post 298 for permission to hand out Poppies for donations in Great Barrington and the Village of Housatonic during the month of May.

E. Abrahams made a motion to approve the American Legion Murphy-Leary, Post 298 to hand out Poppies for donations in Great Barrington and the Village of Housatonic during the month of May – with the requirement that solicitors wear masks; B. Cooke seconded. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “aye,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

- f. Andy Moro for the Murphy-Leary American Legion Post 298 for permission to hold a Boot Drive between Gas House Lane and JB Hull Oil on Saturday May 22, 2021 with a rain date of Saturday May 29, 2021.

E. Abrahams made a motion to approve the American Legion Murphy-Leary, Post 298 to hold a Boot Drive between Gas House Lane and JB Hull Oil on Saturday May 22, 2021 with a rain date of Saturday May 29, 2021 – with the requirement that participants wear masks; B. Cooke seconded. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “aye,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

- g. Bill Cooke & Deb Phillips for a driveway permit at 26 Dresser Ave.

- i. B. Cooke recused as the applicant; E. Abrahams recused as an abutter.

K. Burke made a motion to approve a driveway permit at 26 Dresser Ave. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “recused,” S. Bannon, “aye,” K. Burke, “aye,” B. Cooke, “recused,” L. Davis, “aye.” All in favor, 3-0.

5. PUBLIC HEARINGS

Abrahams made a motion to open the Public Hearing; B. Cooke seconded. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “aye,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

S. Bannon indicated there would be presentations by the applicants.

- a. DepartWine MA Retail LLC for a Wine and Malt Package Store License at 28 Railroad Street (Continued from the meeting on April 12, 2021.) Discussion/Vote

- i. David Bruno, owner, DepartWine presented on his boutique wine, beer and beverage business/store. He shared his extensive background in the hospitality business and DepartWine’s focus on small production, family winemakers, education/learning and community/environmental -mindedness. He has established roots locally and is committed to actively giving back. He also noted he would be collaborating with Two Flower Café next door.

S. Bannon asked if there was any public comment or Selectboard questions.

E. Abrahams made a motion to close the Public Hearing; B. Cooke seconded. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “aye,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

E. Abrahams made a motion to approve the license for DepartWine MA Retail LLC; B. Cooke seconded. S. Bannon asked if any discussion –

- ii. K. Burke stated she believed there had been a discussion to limit the number of similar businesses in Town. She shared concerns about the vulnerability of small, long-established businesses vs new higher end stores.

Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “no,” B. Cooke, “aye,” L. Davis, “aye.” Motion passes, 4-1.

E. Abrahams made a motion to open the Public Hearing; B. Cooke seconded. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “aye,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

- b. The Coffee Bar LLC for an All Alcoholic Restaurant License at 34 Railroad Street (Continued from the meeting on April 12, 2021.) Discussion/Vote

- i. Sandy Matthews and Rupert Jones presented on their new Two Flower Cafe sharing their background in the business and interest in having a casual place in Town for coffee/light fare during the day and alcohol/small plates in the evening until 10pm.

S. Bannon asked if any comments/questions.

- ii. L. Davis asked if they would be providing food to DepartWines for tastings. R. Jones stated they would work together pending COVID requirements.

E. Abrahams made a motion to close the Public Hearing; B. Cooke seconded. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “aye,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

E. Abrahams made a motion to approve the license for The Coffee Bar LLC; B. Cooke seconded. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “aye,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

6. NEW BUSINESS

- a. Convene as Sewer Commissioners–Sewer Abatements for July 1, 2020 to December 31, 2020.

E. Abrahams made a motion to convene as Sewer Commissioners; B. Cooke seconded. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “aye,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

E. Abrahams made a motion to accept the sewer abatements as provided in the Selectboard packet; B. Cooke seconded. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “aye,” S.

Bannon, “aye,” K. Burke, “aye,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

E. Abrahams made a motion to reconvene as the Selectboard; Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “aye,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

- b. Strategic Sustainability and Livability Committee (Appointment and Committee Size)

- i. Natalie Narotzky, Strategic Sustainability and Livability Committee Chair presented on the Committee’s request to add a Committee member, John Morrell, Professor of Literature at Simon’s Rock who has been involved with the Committee’s work, social justice training and supports sustainability and livability goals.

E. Abrahams made a motion to appoint John Morrell to the Strategic Sustainability and Livability Committee; B. Cooke seconded. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “aye,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

N. Narotsky continued with a request to reduce the number of members on the Committee from nine to seven as it will help with getting a quorum. Currently the Committee has six members.

E. Abrahams made a motion to decrease the number of Committee members from nine to seven members; B. Cooke seconded. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “aye,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

- c. Cultural Council appointment–3 Members

E. Abrahams made a motion to appoint Erica Mielke, Elissa Haskins-Vaughan and Allison Zivin to the Cultural Council; B. Cooke seconded. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “aye,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

d. Proposed Changes to the Selectboard Meeting Schedule for May and June 2021

- i. S. Bannon clarified Selectboard and Town meeting dates: May 10 regular meeting; May 12 reorg meeting; May 24 regular meeting; June 7 and 10 (if needed) Town Meeting; June 14 regular meeting and June 21 (new date).

S. Bannon noted there were 6 panelists and 25 attendees at the peak of the meeting.

e. Review of Sidewalk Agreement extension with Mooncloud at 47 Railroad Street

- i. M. Pruhenski stated this is the annual renewal of the sidewalk/outside dining agreement; applicant is requesting approval in advance for when COVID restrictions/state of emergency is lifted and sidewalk dining can resume. There are no changes in the renewal from last year and the agreement expires December 31, 2021.

E. Abrahams made a motion to amend the annual license with the town and Alcohol Beverage Control Commission; B. Cooke seconded. S. Bannon asked if any discussion -

- ii. S. Bannon noted once the state of emergency is lifted, outdoor dining will restart and restaurants will have to apply for a license.
- iii. E. Abrahams stated there should be a way to expedite that process when the time comes.

Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “aye,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

f. Review the draft Annual Town Meeting Warrant and make recommendations to the Annual Town Meeting on the proposed budgets for Berkshire Hills Regional School District and the Great Barrington Wastewater Treatment Plant.

- i. S. Bannon stated there are five warrant articles remaining that need Selectboard final recommendations.

- Warrant #6 – FY22 Wastewater Treatment Plant budget

E. Abrahams made a motion to recommend; B. Cooke seconded. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “aye,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

- Warrant FY22 Regional School Assessment

E. Abrahams made a motion to recommend; B. Cooke seconded. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “aye,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

- Amend Chapter 91 of the Town Code for schedule of Town Clerk fees. M. Pruhenski stated that the Town Clerk has proposed the Selectboard consider increasing certain fees noted in the proposed warrant.

- K. Burke expressed concern about cost and potential hardship for residents.
- E. Abrahams noted fees had significant consequences for Town budget.
- M. Pruhenski noted a lot of the requests come from non-residents.

S. Bannon stated that at current fee levels, the Town is not covering its costs.

E. Abrahams made a motion to recommend the article; B. Cooke seconded. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “no,” B. Cooke, “aye,” L. Davis, “aye.” Motion passed, 4-1.

- Reaccept portion of Manville Street discontinued on May 7, 2018 as public way

E. Abrahams made a motion to recommend; B. Cooke seconded. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “no,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

- Tax increment financing for 79 Bridge Street

C. Rembold provided an overview – a TIF agreement is an economic development tool that creates a special tax agreement where property improvements are not assessed immediately, but are instead phased in over several years. The owners of Searle School are asking for such an agreement. Town Meeting will authorize the Selectboard to negotiate and enter into the agreement.

E. Abrahams made a motion to recommend; B. Cooke seconded. S. Bannon asked if any discussion – there was none. Roll call vote: E. Abrahams, “aye,” S. Bannon, “aye,” K. Burke, “no,” B. Cooke, “aye,” L. Davis, “aye.” All in favor, 5-0.

M. Pruhenski stated that the Selectboard will sign the final version of the warrant on May 10.

7. CITIZEN SPEAK TIME

8. SELECTBOARD’S TIME – L. Davis stated she received a request to keep the gazebo lights on later at night as residents are picking up food at restaurants in the area. M. Pruhenski stated he would check how/if that could happen.

9. MEDIA TIME – Eileen Mooney asked was Karen Fink’s resignation expected or a surprise? M. Pruhenski stated he preferred not to comment on personnel matters.

10. ADJOURNMENT - Chairman Bannon adjourned the meeting by unanimous consent at 7:15pm.

Respectfully submitted,

Stacy Ostrow
Recording Clerk