

Selectboard Meeting via Zoom and in person at 334 Main Street Great Barrington MA  
Monday, June 12, 2023

1. CALL TO ORDER REGULAR MEETING - Chairman Bannon opened the meeting at 6:00pm with Selectboard members: Steve Bannon, Leigh Davis, Ben Elliott, Eric Gabriel, Garfield Reed present. Also in attendance: Town Manager Mark Pruhenski.

2. APPROVAL OF MINUTES

a. May 22, 2023

L. Davis made a motion to approve the minutes of May 22, 2023; E. Gabriel seconded. S. Bannon asked for any discussion – there was none. All in favor: 5-0.

3. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS

- a. B. Elliott and E. Gabriel expressed thanks to the Housatonic Improvement Committee, volunteers and residents for making the Party in the Park a great success.
- b. G. Reed encouraged participation in Relay for Life on June 24 benefitting the American Cancer Society and shared details on a variety of activities and entertainment for the event.

4. TOWN MANAGER'S REPORT

- a. COA Director Appointment – M. Pruhenski announced the promotion of Joan Peters to the position of Director and stated a press release will go out this week
- b. Fire Chief Appointment – M. Pruhenski stated a new Fire Chief has been hired and is going through the pre-employment process with a planned start date of September 1. He stated a press release will go out once the employment process is complete.
- c. Library Hours – M. Pruhenski stated there will be six vacant positions at the Library and so hours have been reduced - for Mason it is Tuesday-Friday and Saturday and Ramsdell is Sunday, Monday and Tuesday. He noted residents should check the Library website for specific hours.

5. LICENSES AND PERMITS

- a. Joshua Kelleher of JJK Productions LLC of 118 Lee Street East Longmeadow MA for 3- one day Entertainment Licenses for a concert series on July 8, July 22 and August 26 at Ski Butternut 380 State Road Great Barrington MA 01230 from 4:00 PM to 10:00 PM.
  - i. The applicant was not in attendance and the matter was put over to the June 26 meeting.
- b. Joanna and Richard Rothbard of the American Art Marketing for Weekday and Sunday Entertainment Licenses for the Berkshires Arts Festival July 1-3 at Ski Butternut.
  - i. 1-Weekday Entertainment for Saturday July 1, 2023 from 11:00 AM to 2:00 PM
  - ii. 1-Sunday Entertainment for July 2 from 12:30 PM to 3:30 PM
  - iii. 1-Weekday Entertainment for Monday July 3 from 12:30 PM to 3:30 PMJ. and R. Rothbard provided details on the event which is in its 23<sup>rd</sup> year at Ski Butternut and includes artists from around the country, music and kids performances. They clarified that all food vendors get permits from the Board of Health, bathroom facilities are maintained ongoing throughout and a major clean up at the conclusion of the event.

L. Davis made a motion to grant a Weekday Entertainment License for Saturday July 1, 2023 from 11:00 AM to 2:00 PM and for Monday July 3 from 12:30 PM to 3:30 PM; E. Gabriel seconded. S. Bannon asked for any discussion – there was none. All in favor: 5-0.

L. Davis made a motion to grant a Sunday Entertainment License for July 2 from 12:30 PM to 3:30 PM; E. Gabriel seconded. S. Bannon asked for any discussion – there was none. All in favor: 5-0.

## 6. NEW BUSINESS

- a. SB to approve borrowing/BAN – Alicia Dulin, Treasurer/Collector, stated this is for a Bond Anticipation Note (BAN) for temporary borrowing for various capital projects and equipment previously approved at Town Meeting – the list of projects are in the packet. The short-term note which will be borrowed on a permanent basis in December is for \$6,997,290. She stated five bids were received and the lowest net interest cost (NIC) of 3.8723% was awarded to Jefferies LLC.
  - i. Claudia Shapiro, 78 Egremont Plain Road, asked for an explanation – A. Dulin replied it is for borrowing money on a temporary basis to fund projects approved at 2012-2023 Town Meetings that are progress or anticipated – it is a bond anticipation note to December at which time it will go out for permanent bid.

L. Davis stated

I, the Clerk of the Selectboard of the Town of Great Barrington, Massachusetts, certify that at a meeting of the board held June 12, 2023, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of \$6,997,290 5.00 percent General Obligation Bond Anticipation Notes (the “Notes”) of the Town dated June 16, 2023, and payable December 14, 2023, to Jefferies LLC at par and accrued interest, if any, plus a premium of \$38,974.90.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 24, 2023, and a final Official Statement dated June 1, 2023, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Selectboard be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Notes (collectively, the “Documents”), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Selectboard, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

E. Gabriel seconded. S. Bannon asked for any discussion – there was none. Roll call vote: Roll call vote: S. Bannon, “aye,” L. Davis, “aye,” B. Elloitt, “aye,” E. Gabriel, “aye,” G. Reed, “aye.” All in favor: 5-0.

b. Housatonic Water Works–Temporary relief for residents/customers – M. Pruhenski stated in the packet is an executive summary to start the conversation on how to use the \$250,000 from the state. He provided an overview of the proposal to reimburse HWW customers up to \$500 per property for the installation of a water filtration system by the owner or tenant, retroactive to 2018. He noted this would provide relief to 500 customers, and if funds remain after six months, the Selectboard can revisit and consider providing additional funds to approved applicants.

i. B. Elliott stated this is a good start and asked that there be an opportunity for customers to provide feedback. It was agreed it would be discussed at the June 26 meeting. The information provided by Rebecca Jurczyk, Health Agent, on the options for water filtration systems was discussed and M. Pruhenski agreed to get additional details on specific units/systems and maintenance requirements. It was also clarified that in the proposal a licensed plumber is required, if applicable, as that can significantly increase the overall cost. M. Pruhenski confirmed the Town does not have access to the funding now, but needs lead time to create an application and process.

c. Rest of River Committee Appointments

L. Davis made a motion to reappoint the Town Manager and Assistant Town Manager to represent Great Barrington on the Rest of River Committee; E. Gabriel seconded. S. Bannon asked for any discussion – M. Pruhenski clarified Chris Rembold is the primary member - the Town can have two members, but only one vote. All in favor: 5-0.

d. Selectboard support of statewide ban on single-use plastic bags – M. Pruhenski stated that in 2013,

and again in 2014, Town Meeting approved a ban on single-use plastic bags – and was the first Town in the state to do so. The request is for the Town to sign a letter of support for a statewide ban.

L. Davis made a motion to sign the letter of support for a statewide ban on single-use plastic bags; E. Gabriel seconded. S. Bannon asked for any discussion – there was none. All in favor: 5-0.

7. CITIZEN SPEAK TIME

- a. C. Shapiro asked the Town Manager to provide information on decisions made regarding the disposition of a number of legal and other matters related to Berkshire Aviation.

8. SELECTBOARD'S TIME

- a. G. Reed asked about installing yield signs at the corner of Christian Hill Rd and Route 41.

9. MEDIA TIME

- a. Eileen Mooney asked for an update on the Housatonic School – S. Bannon replied it will be discussed at the Priority Planning meeting on June 13.

10. ADJOURNMENT - Chairman Bannon adjourned the meeting by unanimous consent at 6:39pm.

Respectfully submitted,

Stacy Ostrow, Recording Clerk