

Town of Great Barrington 2020 Annual Town Meeting

WARRANT

with Recommendations
by the Finance Committee
and the Selectboard

Monday, June 22, 2020 and Thursday, June 25, 2020



SELECTBOARD

Stephen C. Bannon, Chair
Edward D. Abrahams
William F. Cooke
Kate F. Burke
Leigh S. Davis

FINANCE COMMITTEE

Anne O'Dwyer, Chair
Eugene W. Curletti
Thomas A. Blauvelt
Michelle M. Loubert
Meredith O'Connor

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TOWN OF GREAT BARRINGTON
2020 ANNUAL TOWN MEETING, JUNE 22, 2020 AND JUNE 25, 2020

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2020 ANNUAL TOWN MEETING

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WARRANT

ANNUAL TOWN ELECTION
ANNUAL TOWN MEETING

2020

COMMONWEALTH OF MASSACHUSETTS

BERKSHIRE, SS

To William Walsh, Chief of Police of the Town of Great Barrington, in said Berkshire County,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the Inhabitants of said town to meet at the Great Barrington Fire Station, 37 State Road in the Town of Great Barrington in Precinct A for Precincts A, C, and D, and at the Housatonic Community Center Building in the Village of Housatonic, in Precinct B, for Precinct B on Tuesday, June 30th, 2020 at 11:00 A.M. until 6:00 P.M. for the following purposes, viz.: to elect:

MODERATOR, ONE FOR ONE YEAR
SELECTBOARD, ONE FOR THREE YEARS
BOARD OF HEALTH, ONE FOR THREE YEARS
FINANCE COMMITTEE, ONE FOR THREE YEARS
HOUSING AUTHORITY, ONE FOR FIVE YEARS
LIBRARY TRUSTEES, TWO FOR THREE YEARS
PLANNING BOARD, TWO FOR THREE YEARS
ZONING BOARD OF APPEALS, TWO FOR THREE YEARS

BALLOT QUESTION:

Shall the Town of Great Barrington be allowed to exempt from the provisions of Proposition Two and One-half, so called, the amounts required to pay for the bond issued in order to pay the cost of building improvements to Town Hall and the Mason and Ramsdell Libraries, and for the payment of all other costs incidental and related thereto.

The above named officers and ballot question will be voted for on official ballots prepared by the Town Clerk.

You are also required to notify and warn the Inhabitants of said town, qualified to vote in town affairs, to meet at the Monument Mountain High School in Great Barrington on Monday, June 22nd, 2020 and Thursday, June 25th, 2020 at 6:00 P.M., then and there to act on the following:

ARTICLE 1:

To see if the Town will vote, to fix the maximum amount that may be spent during fiscal year 2021 beginning on July 1, 2020 for the revolving funds as established in the towns by-laws for certain departments, boards, committees, commissions, agencies or officers in accordance with M.G.L. Chapter 44, Section 53E ½, or take any other action relative thereto.

Revolving Fund	Department, Board, Committee, Agency or Officer	FY2021 Spending Limit
Plumbing Inspections	Building Department	\$15,000
Wiring Inspections	Building Department	\$55,000
Gas Inspections	Building Department	\$12,000
Cemetery	Public Works Department	\$ 5,000

Recommended by the Finance Committee and Selectboard

ARTICLE 2:

To see if the Town will vote to fix the salaries of all elected officials for the period of July 1, 2020 to June 30, 2021 as indicated below:

Elected Officials Salaries:

Selectboard: \$18,750 (\$3,750 per Selectboard member)

Recommended by the Finance Committee and Selectboard

ARTICLE 3:

To see if the Town will vote to accept any and all funds being provided by the Commonwealth of Massachusetts Division of Transportation (MassDOT), under the provisions of Chapter 90 of the Massachusetts General Laws, to pay for such costs as allowed by appropriate legislation in connection with the maintenance, repair, and construction of town ways and bridges, or to take any other action relative thereto.

Recommended by the Finance Committee and Selectboard

ARTICLE 4:

To see if the Town will vote to raise and appropriate or transfer from available funds such sums of money necessary for the operation of the several departments in the Town for the ensuing year for the purposes outlined below, or to take any other action relative thereto.

General Government

Town Manager/Selectboard	\$ 388,427
Finance Committee/Reserve Fund	128,000
Finance Director/Town Accountant	146,550
Technology	215,150
Assessors' Office	154,575
Treasurer/Collector	208,437
Town Clerk/Elections	130,698
Conservation Commission	30,685

Various Boards/Commission	19,970
Planning Board	5,250
Zoning Board of Appeals	1,300
Office of Planning/Community Development	134,850

Public Safety

Police Department	1,723,347
Fire Department	624,496
Communications/Emergency Management	21,103
Building Inspector	167,013
Animal Control	12,520

Department of Public Works 2,308,258

Public Health

Health Department	117,775
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Community Services

Council on Aging	147,161
Veterans' Affairs	143,700
Human Services	25,000

Cultural/Recreation

Libraries	559,958
Parks/Recreation	115,000

Miscellaneous

Insurance	1,765,452
Debt Service	1,865,390
Retirement	965,411
Celebrations/Seasonal/Events/Band Programs	<u>9,000</u>

Total General Fund \$ 12,234,776

Recommended by the Finance Committee and Selectboard

ARTICLE 5:

To see if the Town will vote to appropriate from the receipts of the Wastewater Treatment Plant such sums of money necessary for the operation of the Sewer Division for the ensuing year for the purposes outlined below, or to take any other action relative thereto.

Wastewater Treatment Plant

Salaries	\$ 473,967
Expenses	690,800
Insurance/Benefits	306,974
Miscellaneous/Transfers	180,000
Debt Service	<u>797,659</u>

Total Wastewater Treatment Plant \$2,449,400

Recommended by the Finance Committee and Selectboard

ARTICLE 6:

To see if the Town will vote to appropriate \$3,628,500 or any other sum of money, in the following approximate amounts and for the following purposes. And for the payment of all other costs incidental and related thereto, and to determine whether this appropriation shall be raised by taxation, transferred from available funds, borrowing or otherwise: or to take any other action relative thereto.

Street and Bridge Improvements	\$2,315,000
Building Improvements	500,000
Police Cruisers (2)	127,500
Highway Dump Truck w/Plow & Sander	230,000
EMS/Service Vehicle	60,000
Police Portable Radios (6)	46,500
Roadside Mower	180,000
Mowers (2)	32,000
1-ton Roller	30,000
Fire Equipment	35,500
Speed Trailer	12,000
Parks Equipment	60,000
Total	\$3,628,500

Recommended by the Finance Committee and Selectboard

ARTICLE 7:

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of Seventeen Million, Sixty-Four Thousand, One Hundred and Eighty-Four Dollars (\$17,064,184) for the operating assessment, and Five Hundred Three Thousand, One Hundred and Sixty Dollars (\$503,160) for the capital assessment, for a total assessment of Seventeen Million, Five Hundred Sixty-Seven Thousand, Three Hundred and Forty-Four Dollars (\$17,567,344) of the Berkshire Hills Regional School District, or take any other action relative thereto.

Recommended by the Finance Committee and Selectboard

ARTICLE 8:

To see if the Town will vote to appropriate \$690,000 or any other sum of money, for Wastewater capital improvements, in the following approximate amounts and for the following purposes. And for the payment of all other costs incidental and related thereto, and to determine whether this appropriation shall be raised by taxation, transferred from available funds, borrowing or otherwise: or to take any other action relative thereto.

Inflow & Infiltration Study	\$200,000
Maple/Main St Sewer Replacement	400,000
F350 Service Truck w/Plow & Sander	90,000
Total	\$690,000

Recommended by the Finance Committee and Selectboard

ARTICLE 9:

To see if the Town will vote to authorize the use of Free Cash to reduce the tax levy for Fiscal Year 2020, or to take any other action relative thereto.

Recommended by the Finance Committee and Selectboard

ARTICLE 10:

To see if the Town will vote to appropriate from Free Cash a sum of money to fund various community programs in accordance with Cannabis Control Commission, or take any other action relative thereto.

Recommended by the Finance Committee and Selectboard

ARTICLE 11:

To see if the Town will vote to raise and appropriate \$42,000 to subsidize Southern Berkshire Ambulance; or take any other action relative thereto.

Recommended by the Finance Committee and Selectboard

ARTICLE 12:

To see if the Town will vote to appropriate from Free Cash \$97,130 to fund the Fiscal Year 2020 tuition and transportation costs for out of district vocational education, in accordance with _____ or take any other action relative thereto.

Recommended by the Selectboard

ARTICLE 13:

To see if the Town will vote to raise and appropriate \$123,000 to fund the Fiscal Year 2021 tuition and transportation for out of district vocational education, in accordance with _____ or take any other action relative thereto.

Recommended by the Finance Committee and Selectboard

ARTICLE 14:

To see if the Town will vote to authorize the payment of prior fiscal year invoices from the FY20 operating budgets of the Treasurer and Technology Departments.

Recommended by the Selectboard

ARTICLE 15:

To see if the Town will vote to amend its action taken under Article 4 of the Warrant for the Annual Town Meeting held on May 1, 2017, which action, among other things, approved the borrowing of \$70,000 to pay costs of public safety communication improvements, so as to permit the expenditure of \$20,000 authorized for that purpose, but which is not necessary for the completion of that project, to pay costs of engineering and planning related to installing a broadband cable in the Housatonic area of Town; or to take any other action relative thereto.

Recommended by the Selectboard

ARTICLE 16:

To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs, and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied.

Recommended by the Selectboard

ARTICLE 17:

To see if the Town will vote to amend the vote under Article 8 of the 2019 Annual Town Meeting, which appropriated \$650,000 for capital improvements to the Housatonic School including the costs of a new roof, windows and masonry work, by revising the amounts authorized to be transferred for such appropriation as follows: increase the amount to be transferred from the Sale of Real Estate Fund from \$300,000 to \$350,000 and decrease the amount to be transferred from the Community Preservation Fund from \$350,000 to \$300,000; or to take any other action relative thereto.

Recommended by the Selectboard

ARTICLE 18:

Community Preservation Fund Reserves & Appropriations

To see if the Town will vote to appropriate or reserve for future appropriation, from the community preservation fund, the following amounts recommended by the Community Preservation Committee for FY21, with each item considered a separate appropriation; or to take any other action relative thereto.

Reserves:

From FY21 revenues for historic resources reserve	\$ 50,000
From FY21 revenues for community housing reserve	\$ 50,000
From FY21 revenues for open space reserve	\$ 50,000

Appropriations:

From FY21 revenues for administrative expenses	\$ 20,000
Balance of FY21 revenues for FY21 budgeted reserve	\$ 345,000

Recommended by the Community Preservation Committee

ARTICLE 19:

Community Preservation Projects

To see if the Town will vote to appropriate from the Community Preservation Fund for FY21 the following amounts recommended by the Community Preservation Committee with each item to be considered a separate appropriation; or to take any other action relative thereto.

Project	Total Appropriation	Source of Appropriation	
		FY21 Revenues	Fund Balance
<i>Affordable Housing</i>			
1 CDC of South Berkshire, to create new housing at 910 Main Street	\$250,000	\$250,000	
2 Town Affordable Housing Trust Fund, to acquire land for housing	\$185,000		\$185,000
Subtotal, Affordable Housing	\$435,000		
<i>HISTORIC RESOURCES</i>			
3 Town Historical Commission, for historic properties research in Housatonic Village	\$15,000		\$15,000
4 Town Historical Commission, to preserve the historic trolley shelter	\$50,000		\$50,000
5 Historical Society, to restore and preserve Wheeler museum buildings and artifacts	\$145,000	\$145,000	
Subtotal, Historic Resources	\$210,000		
<i>OPEN SPACE & RECREATION</i>			
6 Berkshire Natural Resources Council, to create public access/trailhead improvements	\$30,000	\$30,000	
7 Conservation Commission for the McAllister Wildlife Refuge preservation project	\$33,500	\$33,500	
8 Lake Mansfield Road design to preserve open space / create recreational land	\$120,000		\$120,000
Subtotal, Open Space & Recreation	\$183,500		
TOTAL	\$828,500	\$458,500	\$370,000

Recommended by the Community Preservation Committee

ARTICLE 20:

To see if the Town will vote to amend its action taken under Article 13 of the Warrant for the Annual Town Meeting held on May 6, 2019, which action, among other things, approved the appropriation of \$100,000 from FY20 CPA revenues to the Great Barrington Affordable Housing Trust Fund for the purpose of downpayment assistance, so as to permit the expenditure of said appropriation for either downpayment assistance or for rental assistance; or to take any other action relative thereto.

Recommended by the Community Preservation Committee

ARTICLE 21: (ask David -- is this a separate article or part of the CPA article?? Chris R thinks the Trust is already empowered by Town Meeting to acquire land. Do they also need Town Meeting approval to put a Deed Restriction on that land if they buy it for CPA housing, or is the Trust also already empowered to put deed restrictions on land without Town Meeting?)

Acquisition of approximately 7.25 acres of land at 0 North Plain Road by the Great Barrington Affordable Housing Trust Fund

ARTICLE 22: (ask David)

Town to transfer 40 Grove Street to Housing Trust fund and/or Habitat?

Mark / Chris work on language with Counsel. 2/3 vote needed

Karen as Tax title custodian must make finding

ARTICLE 23:

To see if the Town will vote to amend the Town Code Chapter 48, Article 1, "ALARM SYSTEMS", as shown in the text below, or take any other action relative thereto:

Proposed additions are underlined.

Proposed deletions are ~~struck through~~.

§48-1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

~~ALARM SYSTEMS — Any alarm device which automatically dials the emergency telephone number of the Police, Fire Department or other emergency service to alert that an emergency exists or that the services of that Department are needed or which transmits an alarm to the Town's alarm monitoring system. "Alarm system" shall also mean any alarm device which automatically emits an audible, visual or other response upon the occurrence of the hazard or emergency and is intended to alert persons outside the building and/or any person who in turn notifies the Police and/ or Fire Department to the existence of said hazard or emergency. Any device which when activated transmits a signal to the Police, Fire Department, or their dispatch center or transmits a signal to a person or company, who relays information, to the Police, Fire Department, or dispatch center, or produces an audible or visible signal to which the Police and/or Fire Department is expected to respond.~~

~~DIAL ALARM or DIALING DEVICE — Any fire, police or emergency alarm device which is a telephone device or telephone attachment which automatically or electronically selects a telephone line connected to the Police, Fire Department, or dispatch center and reproduces a prerecorded message to report a criminal act or other emergency requiring police, fire or emergency service response.~~

~~EMERGENCY NUMBERS — Any telephone number designated by the Police or Fire Chief or Emergency Communication Commission as a telephone number through which members of the public may report an emergency or request public assistance.~~

~~FALSE EMERGENCY ALARM — Any signal actuated transmitted by an ~~emergency~~ alarm system to which the Police or Fire Department, ~~Fire Chief or emergency service~~ responds which is not the result of an emergency.~~

§ 48-2. ~~Dialing devices restricted.~~ Alarm System Monitoring

~~All dialing devices operated by automatic means shall transmit messages only to such numbers as may be designated for that purpose by the Police, Fire Department or Emergency Communication Commission of the Town. After 90 days following the effective date of this article, no person shall use, operate or install any device which will, upon activation by automatic means, initiate dialing, calling or other connection with the Police, Fire Department or emergency service of the Town, either at its regularly constituted telephone number or any other which may be designated by said Police, Fire Department or Emergency~~

~~Communication Commission emergency number, without permit issued by the Board of Selectmen or Emergency Communication Commission.~~

~~Alarm systems shall be connected to a central station or similar monitoring system which shall then notify Great Barrington Dispatch by a dedicated telephone number or other approved method. No alarm shall be automatically transmitted to the Police, Fire Department, or Dispatch Center without written consent from the affected department.~~

1. Editor's Note: This Article also superseded former Ch. 48, Alarm Systems, adopted 5-3-1982 Annual Town Meeting. Art. 26. §

§ 48-3 48:3 § 48-3. Compliance of dialing devices required.

No person shall use, operate or install any dialing device that will, upon activation, automatically dial, call or connect with the telephone number designated by the Chief of Police, Fire Chief or Emergency Communication Commission, for the purpose of receiving such alarm messages, more than twice for any one incident. Any system installed on or after the effective date of this article must comply with this article. Preexisting installations must comply within 90 days of the effective date of this article.

§ 48-4. Mandatory alarm delay.

Upon the activation of a burglar (break-in) alarm, there shall be a mandatory delay of at least 15 seconds before the transmission of a signal to the Police Department to enable the user to abort the signal in the event that it was triggered inadvertently. This delay shall not be applicable to a robber (holdup), fire or medical emergency alarm. Any system installed on or after the effective date of this article must comply within 90 days of the effective date of this article.

§ 48-5. Timing devices.

The user of every alarm system emitting an audible, visual or other response shall, at the time such system is installed or within 90 days of the effective date of this article in the case of existing systems, install or cause to be installed an automatic timing device which shall deactivate such alarm so that it will be activated for no more than 15 minutes.

~~§ 48-6. Information to be filed.~~

~~The user of every alarm system maintained in the Town, except those installed in motor vehicles, shall, within 10 days of the installation thereof or within 60 days of enactment of this article, file the following information with the Police Department of the Town:~~

~~(1) The type of alarm system.~~

~~(2) The street address and the nearest cross street of the building which houses the alarm.~~

~~(3) In the case of commercial premises, the name, address and telephone number of an authorized representative and/or an alternative who will be able to respond when called by the Police to deactivate the alarm system, if necessary.~~

~~(4) In the case of a private residence, the name, address, and telephone number of a person who is not a resident of the private residence in question and who will be able to deactivate the alarm system; an external shutoff to the alarm system shall be available to the Emergency Department to deactivate the alarm.~~

~~Such filing requirements are applicable to all alarm systems whether the same are or are not directly connected to the Police, Fire Department and dispatch center or are merely audible alarms. Such filing must be made within the time period specified above even though there shall have been previous notification of the existence of such alarm systems to the Police/Fire Department of the Town.~~

§ 48-7. Permit; fee; revocation.

~~—The Board of Selectmen or the Emergency Communication Commission are hereby authorized to grant a revocable permit to any owner, lessee or occupant of property located in the Town to~~

~~operate, maintain, install or modify a police, fire or emergency alarm device, and no such device shall be operated unless such permit shall have first been issued.~~

~~— The Board of Selectmen shall annually set and charge a fee for the issuance of such permit, to be renewed annually. Permits will expire on June 30 of each year.~~

~~— The Board of Selectmen shall set and charge a fee for connection to the Town's alarm monitoring system. The Board of Selectmen shall also set and annually charge a monitoring fee for alarm systems which are transmitted to Town telephone, Town alarm monitoring systems or the dispatch center.~~

~~— A permit issued pursuant to this article may be revoked at any time or from time to time by the Board of Selectmen or Emergency Communication Commission upon the giving of 10 days' notice, in writing, by registered mail, to the permittee, sent to the address shown on the permit. The violation of this article shall constitute grounds for the revocation of the permit.~~

§ 48-8. False alarm fees. [Amended 5-6-1996 ATM, Art. 19; 5-3-1999 ATM, Art. 27]

~~A fee may be charged for each False Alarm in accordance with a policy set by the Selectboard. A fee for a false alarm may not exceed \$250. A fee will be charge as listed below for each response by the Fire and/or Police Department to any building/residence in which an alarm malfunction or alarm activation is caused by the occupant or persons having control of the building/residence. The Police/Fire Chief or senior officer making an alarm response shall determine whether the alarm was a malfunction by the alarm system or accidental activation. After a third response in a twelvemonth period, the permit shall be revoked by the Board of Selectmen until the alarm system has been recertified by a reputable installer of alarms.~~

~~— First offense: \$0.~~

~~— B. Second offense and subsequent offenses: \$60.~~

§ 48-9. Disconnection.

In the event that an alarm system emitting an audible, visual or other similar response shall fail to be deactivated within the time limitation specified in § 48-5 above, the Town shall have the right to take such action as may be necessary in order to disconnect any such alarm.

~~§ 48-10. Violations and penalties.~~

~~Any person operating an alarm system without a permit from the Board of Selectmen or Emergency Communication Commission violates the provisions of this article and shall be subject to a fine of \$100 for each offense.~~

~~§ 48-11. Fees established.~~

~~Communication Committee fees shall be as follows:~~

~~A. Annual fee for each and every alarm: \$10.~~

~~B. A one-time hook-up charge to the alarm panel: \$275.~~

~~C. Monitoring fee, annually: \$125.~~

ARTICLE 24:

Tax Financing Agreement, 430 Park Street

To see if the Town will vote to authorize the Selectboard to enter into a Tax Increment Financing Agreement and Tax Increment Financing Plan with Studio for Integrated Craft, LLC, or its Nominee, pursuant to the provisions of MGL Chapter 40, Section 59, in connection with the redevelopment of the property at 430 Park Street, Housatonic, or to take any other action relative thereto.

ARTICLE 25:

Sewer Easement, 79 Bridge Street

To see if the Town will vote to authorize the Selectboard to accept a permanent sanitary sewer easement in, on and under a portion of the property known as 79 Bridge Street, Great Barrington, Massachusetts, which easement is shown as “Proposed 30’ Sewer Easement” on a plan of land entitled “Plans to Accompany Permit Application Modifications Prepared For 79 Bridge Street Realty, LLC,” prepared by SK Design Group, Inc. and dated July 31, 2019, and which is on file with the Town Clerk, or to take any other action relative thereto.

ARTICLE 26:

Sidewalk Easements, Housatonic Main Street

To see if the Town will vote to authorize the Selectboard to acquire certain permanent easements and temporary easements on and/or along Main Street in the Village of Housatonic, through all legal means including donation, purchase, or eminent domain, said easement areas being shown on a plan entitled “Sidewalk Extension & Related Work Plan” prepared by Foresight Land Services, Pittsfield, MA, and dated 1-31-20, and which is on file with the Town Clerk, or to take any other action relative thereto.

ARTICLE 27:

To see if the Town will vote to acquire, by donation, purchase, eminent domain, or otherwise, for conservation and/or preservation purposes, land located off Long Pond Road on the southern ridge of Tom Ball Mountain comprising approximately 48.5 acres and shown on Assessors’ Map 34 as Parcels 14, 15, 16, and 17; to authorize the Selectboard and the Conservation Commission to take all action and execute all documents necessary in connection therewith; and to appropriate a sum of money for such acquisition, or to take any other action relative thereto

ARTICLE 28:

Easements and/or Land Takings for Wastewater Pump Station Upgrades

Takings and/or easements to build the 4 new pump stations:

1. Cone Ave area
2. Rising Mill area
3. Fairgrounds
4. At the senior center

Plans entitled “Wastewater Pump Station Upgrades Project,” prepared by DPC Engineering, LLC, Longmeadow, MA, October 2019, and which are on file with the Town Clerk, or to take any other action relative thereto.

ARTICLE 29:

Zoning

Recommended by the Planning Board

ARTICLE 30:

Zoning

Recommended by the Planning Board

ARTICLE 31:

Zoning

Recommended by the Planning Board

ARTICLE 32:

Zoning

Recommended by the Planning Board

ARTICLE 33:

Zoning

Recommended by the Planning Board

ARTICLE 34:

Zoning

Recommended by the Planning Board

ARTICLE 35:

Zoning

Recommended by the Planning Board

ARTICLE 36:

Zoning

Recommended by the Planning Board

ARTICLE 37:

Zoning

Recommended by the Planning Board

ARTICLE 38:

Zoning

Recommended by the Planning Board

ARTICLE 39:

Zoning

Recommended by the Planning Board

ARTICLE 40:

Zoning

Recommended by the Planning Board

ARTICLE 41:

Zoning

Recommended by the Planning Board

ARTICLE 42:

Zoning

Recommended by the Planning Board

ARTICLE 43:

Zoning

Recommended by the Planning Board

ARTICLE 44:

Zoning, by Citizen Petition

Not Recommended by the Planning Board

ARTICLE 45:

Zoning, by Citizen Petition

Not Recommended by the Planning Board

ARTICLE 46:

Zoning, by Citizen Petition

Recommended by the Planning Board

ARTICLE 47:

Zoning, by Citizen Petition

Not Recommended by the Planning Board

ARTICLE 48: (by petition)

To see if the residents of this Town will vote to amend Chapter 241 of the Town Code, Division 3 Miscellaneous Rules and Regulations, as set forth below:

*Amend Section 241-1 **Placement on Agenda**, as follows:*

Every Great Barrington committee or board, whether appointed or elected, shall place on their agenda of public meetings an item for citizen speak time. Except for procedural and housekeeping matters, Town residents shall have the right to address a Board on any item that requires a vote at a time before a Board votes on that item. Such residents will be allowed as much time as the proponent of an item is permitted to have.

Purpose of the Amendment: Under current law and procedure, residents have the right to speak at a public hearing or on a special permit or during Citizen Speak at the end of the evening's meeting or when recognized by the Chair of a Board. There are often items on the agenda of a public meeting for which a Board will have a discussion and vote. Each Board allows the proponent of an item to present its proposal

and to present evidence and testimony relative to such proposal. During and after such presentation, a Board may ask questions of the proponent. Rarely does a Board allow residents the right to speak at that time, before a vote on the item. Residents may speak as of right during the Citizen Speak portion at the end of a meeting. But this may be of little consequence to the merits of a proposal as a vote has already been taken. There are often meetings where a Board member may commend a resident on their comment and how the comment was relevant to the proposal. Unfortunately, the vote had already been taken.

This amendment will give residents the right to speak on a particular item at a time when the discussion of an item is still a viable matter. That is, the right to speak and offer comment on matters that affect them, before a Board has voted. In this way, a Board will have the benefit of hearing more than one side of an issue, not just the proponent but also those affected by such proposal. A Board must listen to more than just the proponent of a proposal.

ARTICLE 49: (by petition)

To see if the residents of this Town will vote to amend Chapter 189 of the Town Code, Division 2 Selectmen's Regulations, as set forth below:

Amend Section 189-1 Meetings, subdivision C, paragraph (4), as follows

(4) Although the press and the public have the right to be present at any open meeting, they have no right to participate unless they are recognized by the Chairman. Except for procedural and housekeeping matters, Town residents shall have the right to address the Board on any item that requires a vote at a time before the Select Board votes on that item. Such residents will be allowed as much time as the proponent of an item is permitted to have.

Purpose of the Amendment: Under current law and procedure, residents have the right to speak at a public hearing or on a special permit or during Citizen Speak at the end of an evening's meeting or when recognized by the Chair of the Select Board. There are often items on the agenda of a public meeting for which the Select Board will have a discussion and vote. The Select Board allows the proponent of an item to present its proposal and to present evidence and testimony relative to such proposal. During and after such presentation, the Select Board may ask questions of the proponent. Rarely does the Select Board allow residents the right to speak at that time, before a vote on the item. Residents may speak as of right during the Citizen Speak portion at the end of a meeting. But this may be of little consequence to the merits of a proposal as a vote has already been taken. As an example there was a recent meeting where a Board member commended the resident on their commitment and how the comment was relevant to the proposal. Unfortunately, the vote has already been taken.

This Amendment will give residents the right to speak on a particular item at a time when the discussion of an item is still a viable matter. That is, the right to speak and offer comment on matters that affect them, before the Board has voted. In this way, the Board will have the benefit of hearing more than one side of an issue, not just the proponent but also those affected by such proposal. The Board must listen to more than just the proponent of a proposal.

ARTICLE 50: (by petition)

Resolution to Prohibit Hazardous and Toxic Waste Storage, Disposal, or Dumping in Great Barrington MA

To see if the Town of Great Barrington will vote to approve the following resolution:

Whereas the storage and disposal of hazardous and toxic waste, including PCB's from a variety of sources to include the "Rest of River" cleanup by GE is deleterious to the health of all life;

Whereas the storage and disposal of such waste is antithetical to the Food Sovereignty and Pollinator Friendly resolutions as adopted by the Town of Great Barrington;

Whereas we have sovereign rights as promulgated and protected under the Constitution of the United States of America, among them Life, Liberty and the Pursuit of Happiness. Without our health, healthy water, land and air, we are denied those inalienable rights;

Therefore, we, the citizens of the Town of Great Barrington, do here by adopt this resolution that prohibits the disposal, dumping or storage of hazardous and toxic waste from any source on the land or in the water in the Town of Great Barrington (including Housatonic) under any circumstances to ensure our rights and the rights of future generations to a healthy life.

ARTICLE 51: (by petition)

We the undersigned voters of Great Barrington request to have the following Article included in the warrant for 2020 Annual Town Meeting:

Article:

We the people of Great Barrington hereby mandate that the Town maintain Lake Mansfield Road as a two-way vehicular road from end to end in perpetuity, effective immediately.

ARTICLE 52: (by petition)

We sign this petition to close down and outlaw all privately owned "prisons-for-profit" state-wide in MA. These institutions are literally ruining the lives of countless inmates (and their loved ones), whereas properly run and supported State correctional facilities do help rehabilitate people giving them hope in the present, and futures they can look forward to, namely, the chance to contribute to society and live more and more meaningful lives for themselves and others.

HEREOF FAIL NOT, and of this Warrant and your doings thereon, make due return to the Clerk of said Town at or before the time and place of said meeting.

Given under our hands and the seal of the Town of Great Barrington, this day of May, 2020.

Stephen C. Bannon, Chair

Edward D. Abrahams

William F. Cooke

Kate F. Burke

Leigh S. Davis

Selectboard of the Town of Great Barrington

A TRUE COPY ATTEST:

William R. Walsh, Chief of Police
Town of Great Barrington

COMMONWEALTH OF MASSACHUSETTS

BERKSHIRE, SS.

I hereby certify that I have served the foregoing warrant by posting duly attested copies thereof in the following places in the Town of Great Barrington, namely:

The vestibule of the Town Hall Building and the Post Office in the Town of Great Barrington, the post office in the Village of Housatonic, Mason Library in the Town of Great Barrington, and the Ramsdell Library in the Village of Housatonic, Fourteen days, at least before the time of holding the within mentioned Town Meeting.

WITNESS my hand and seal this day of May, 2020.

William R. Walsh, Chief of Police
Town of Great Barrington