

Jennifer Tabakin
Town Manager

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TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

AGENDA

SELECTBOARD SPECIAL MEETING

CLAIRE TEAGUE SENIOR CENTER

917 MAIN STREET

WEDNESDAY, DECEMBER 12, 2018

6:00 P.M.

- I. Call to Order.
- II. SB – Appointment of Member to the Design Advisory Committee (Citizen at Large).
(Discussion/Vote)
- III. SB – Hearing on the Matter of the Request for Removal of the Housing Authority
Member. (Discussion/Vote)
- IV. Citizen Speak Time.
- V. Adjournment.

Pursuant to MGL. c. 30A sec. 20 (f), after notifying the chair of the public body, any person may make a video or audio recording of an open session of a meeting of a public body, or may transmit the meeting through any medium. At the beginning of the meeting, the chair shall inform other attendees of any such recordings. Any member of the public wishing to speak at the meeting must receive permission of the chair. The listings of agenda items are those reasonably anticipated by the chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

NOTICE
TOWN OF GREAT BARRINGTON
VACANCIES

The Town of Great Barrington is accepting letters of interest from residents/registered voters to fill the following vacancies:

- **Cultural Council (13) -** until 2021
- **Historic District Commission Alternate (1) -** until 2020
- **Fence Viewers (1) -** until 2021
- **Parks Commissioners (2) -** until 2020
- **Conservation Commission (1) -** until 2019
- **Design Advisory Committee (Citizen at Large) (1) -** until 2023

Letters of interest must be submitted to **Selectboard, Town of Great Barrington, Town Hall, 334 Main Street, Great Barrington, MA 01230** or emailed to Helen Kuziemko at hkuziemko@townofgb.org.

Stephen Bannon
Chair

Helen Kuziemko

From: Holly Hamer <hhamer3143@yahoo.com>
Sent: Sunday, December 09, 2018 2:26 PM
To: Jennifer Tabakin; Helen Kuziemko; Pachano Gmail
Subject: Application Design Advisory Co.

Dear Jennifer:

Please consider me for a member-citizen at large position on the Great Barrington Design Advisory Committee.

I hope my decades as an artist, gallerist and downtown business and property owner have given me relevant experience with the Great Barrington gestalt.

My local committee experience includes the Library Board of Trustees, Charter Review Co., Tree Co., and Friends of the GB Libraries.

I would be pleased to work with the very talented members of this committee.

Sincerely,

Holly Hamer
99 Seekonk Cross. Rd.
Gt. Barrington, MA 01230
413-717-0661

Pedro R. Pachano | 5 Abbey Hill Drive | Great Barrington , MA 01230

Jennifer Tabakin
Town Manager
Town of Great Barrington
334 Main Street
Great Barrington, MA 01230

10 December 2018

Dear Jennifer,

I am writing to highly recommend Holly Hamer be appointed to the Design Advisory Committee.

I have known Holly for over two years. In that period she has proven to me to care deeply about issues and events concerning Great Barrington. Her work for the town's libraries is reflective of her commitment to community, as is her more than frequent attendance at Selectboard and Planning Board meetings.

I can think of no better person in our community to serve on the Design Advisory Committee. I am sure she will bring a positive energy to our group and contribute thoughtfully to issues before us.

Regards,

Pedro R. Pachano
Chair
Design Advisory Committee

Great Barrington

ESTABLISHMENT OF PROCEDURE FOR HEARING ON COMPLAINTS AGAINST HOUSING AUTHORITY MEMBER

On November 26, the Selectboard voted to hold a hearing to consider written charges made against a member of the Great Barrington Housing Authority, Karen Smith. The hearing will take place on Wednesday, December 12, 2018, at 6:00 p.m. at the Great Barrington Senior Center. As stated in the hearing notice sent to Ms. Smith the Selectboard will this evening outline the procedure we will follow to conduct the hearing.

The hearing is being held in response to two letters of complaint submitted to the Selectboard. These are from Marlene Koloski, the vice chair of the Tenants' Association, dated November 5, 2018, and from Michelle Loubert, who previously served as administrative assistant of the Housing Authority, dated November 13, 2018. Ms. Koloski's letter states that tenants are requesting the removal of Ms. Smith as chairperson of the Housing Authority, and Ms. Loubert's letter requests that the Selectboard take whatever action is within our authority.

Section 6 of Chapter 121B of the General Laws gives the Selectboard authority to consider these types of complaints against a housing authority member. The statute says that the Selectboard may receive written charges against a member of a housing authority appointed or elected by the Town, and may, after a hearing, remove such member for the reason of inefficiency, neglect of duty, or misconduct in office. However, the statute does not give any specific rules for such a hearing.

I believe our goal in conducting the hearing should be to provide an opportunity for those persons making charges against Ms. Smith to offer evidence in support of their complaints, and to provide Ms. Smith an opportunity to respond to the charges and offer evidence in her defense. In order to have a fair and manageable process, we will need to set up some guidelines. As chair, I will act as the presiding officer – the same as for other hearings the Selectboard holds. Also, as in other hearings, I believe members of the Board should be able to ask questions of the persons making their presentations to us. The larger issue is setting parameters on those presentations. While there may be a number of people who wish to speak, it will not be possible for us to have an unlimited number of presenters. These are serious charges and we should have an ordered procedure that allows us to hear enough evidence to make an informed and fair decision and to provide that decision to both the complainants and Ms. Smith in a timely manner.

With all that in mind, and considering that Ms. Koloski's complaint is made on behalf of a group of people, I would propose that we agree on the following:

Up to four witnesses on behalf of the Tenants' Association, and up to three witnesses, including Ms. Loubert, in connection with her complaint. After all of the presentations on behalf of the complainants we would hear the response of Ms. Smith, with up to seven witnesses, including Ms. Smith. Individual presentations should not exceed 15 minutes, but the chair will decide any questions regarding more or less time.

This hearing will not follow formal rules of evidence, but as chair I would reserve the right to allow or disallow evidence in the interest of fairness to all. I would also reserve the right to allow rebuttal or reply testimony after the presentations have been completed. That will depend on the particular circumstances.

If Board members have other thoughts or suggestions for the hearing or number of witnesses I would ask that you offer them now.

STEPHEN C. BANNON
CHAIR

DANIEL BAILLY
EDWARD ABRAHAMS
WILLIAM COOKE
KATE BURKE



Town Hall, 334 Main Street
Great Barrington, MA 01230

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website: www.townofgb.org

TOWN OF GREAT BARRINGTON
MASSACHUSETTS

SELECTBOARD

CERTIFIED MAIL
Return Receipt Requested
No. 7018 0680 0000 4939 0641
AND BY FIRST CLASS MAIL

November 27, 2018

Ms. Karen Smith
5 Monument Valley Road
Great Barrington, MA 01230

Re: Notice of Hearing Regarding Charges of Misconduct,
Great Barrington Housing Authority

Dear Ms. Smith:

Please take notice that the Great Barrington Selectboard will hold a hearing on Wednesday, December 12, 2018, at 6:00 p.m. at the Senior Center, 917 Main Street, Great Barrington, MA 01230, to consider written charges made against you as a member of the Great Barrington Housing Authority. This hearing will be held under the provisions of Section 6 of Chapter 121B of the General Laws. Section 6 includes the following:

The mayor or city council or board of selectmen may make or receive written charges against, and the mayor with the approval of the city council, or the board of selectmen, as the case may be, may accept the resignation of, any member of a housing authority or redevelopment authority appointed or elected by such city or town or may, after hearing, remove any such member because of inefficiency, neglect of duty or misconduct in office provided that such member shall have been given, not less than fourteen days before the date set for such hearing, a copy in writing of the charges against him and written notice of the date and place of hearing to be held thereon, and at the hearing shall have been given the opportunity to be represented by counsel and to be heard in his defense.

The Selectboard has received two letters of complaint regarding your conduct as a member of the Great Barrington Housing Authority: a letter dated November 5, 2018 from the vice chair of the

Ms. Karen Smith
November 27, 2018
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Tenants' Association, Marlene Koloski, and a letter dated November 13, 2018 from a former administrative assistant of the Housing Authority, Michelle Loubert. Copies of those letters are enclosed with this notice.

Please note that after the hearing and consideration of the information presented, the Selectboard may vote to remove you from the Housing Authority. As set forth in the statute, you have a right to be represented by an attorney at the hearing and to offer a defense to the complaints made against you.

If you have any questions regarding the hearing process, please submit them in writing to the office of the Town Manager by noon on December 3, 2018. At its meeting of December 3, the Selectboard will outline the procedure to be used to conduct the hearing.

For the Selectboard,



Stephen Bannon
Chair

SB/hk

Cc: Richard Dohoney, Esq.

Marlene Koloski

Vice chair of the tenants association

2 Bernard Gibbons Drive

Great Barrington MA, 01230

November 5th 2018

To: The Board of Selectmen
334 Main Street
Great Barrington, MA 01230

The Honorable: Mr. Stephan Bannon Chair
Mr. Edward Abrahams Vice Chair
Mr. Bill Cooke Member
Mr. Daniel Bailly Member
Ms. Kate F. Burke Member

Ref: Ms. Karen Smith Chairperson Great Barrington Housing Authority
Flag Rock Village
2 Bernard Gibbons Drive
Great Barrington, MA 01230

Subject: On going disturbing, unwarranted, disruptive, and disrespectful behavior exhibited by Ms. Karen Smith, who holds a seat as Chairperson on the Board of The Great Barrington Housing Authority.

I am writing to you regarding the misbehavior that has been on display since Ms. Karen Smith took her position as Chairperson several months ago. It appears that her outlandish behavior has cost the job of Former Executive Director Ms. Vera Cartier, and instilled fear of retribution in the hearts and minds of the Tenants at Flag Rock Village. They dare not use their voices to advocate for themselves. As of now, there are 177 tenants, who are banding together to have Ms. Karen Smith removed as Chairperson of The Housing Authority.

Below you will find examples of the outlandish Behavior portrayed by Ms. Karen Smith Chairperson for the Great Barrington Housing Authority. It seems like Ms. Karen Smith is literally "holding court" as Chairperson over who she thinks are her "Subjects", that being the Tenants, Board Members, and Attendee's of the meetings that take place on the premises of Flag Rock Village. Essentially, Ms. Karen Smith is Sitting as chairperson, representing herself as the Voice and Decision Maker of Everyone.

1 –In June 2018 The tenants at Flag Rock Village were subjected to being shouted at in the office by Ms. Karen Smith. Now, keep in mind there are tenants at Flag Rock Village that perhaps have Dementia, Mobility Issues, and are Easily Intimidated. Being shouted at for merely wanting to have a voice in reference to a concern is not considered behavior appropriate for anyone, especially a person who is suppose to represent the best interests of the tenant.

2. In July 2018 Both in the office at Flag Rock Village, and Outside Ms. Karen Smith could be heard screaming at Ms. Vera Cartier, there were tenants who were present on occasion in the office that witnessed this, but they will not come forward do to fear. Ms. Karen Smith is widely known at Flag Rock Village as being very much a bully. Therefore, the environment that the tenants are living in is very stressful.

3. In summer of 2018 Ms Karen Smith sent Karen Lewis to Vera Cartier for a job. This is nepotism

These examples are only a small snippet of the toxicity which continues to be present and put forth by Ms. Karen Smith. A closer, more in depth examination will most definitely reveal more proof of her insidious, on going domination tactics.

Please bare in mind, The Great Barrington Housing Authority is comprised of a Board who's soul purpose is to listen to the tenants, be opened minded, respectful, have the ability and desire to mull over differing opinions, take into consideration the needs of the tenants, and To NEVER USE INTIMIDATION, BULLYING, NOR TAKE AWAY THE VOICE OF OTHERS !!! Surely one can not make all people happy. However, it is the responsibility for those who sit in a position of authority to conduct themselves in an appropriate manner "Always" no matter what.

In closing, to restore a positive, supportive, productive environment at Flag Rock Village both with the tenants and the Board Members, we wish to ask for the Immediate dismissal of Ms. Karen Smith Chairperson of The Great Barrington Housing Authority due to the unwarranted upheaval of her behavior, and its results;

Thank You For your time,


Marlene Koloski

NOV 14 2018

BOARD OF SELECTMEN
GREAT BARRINGTON, MA

November 13, 2018

Stephen C. Bannon, Chair
Great Barrington Select Board
Town Hall
334 Main Street
Great Barrington, MA 01230

Dear Mr. Bannon:

As an active and enthusiastic participant in local government, an MPA, and now, as an elected official, writing this letter is very uncomfortable and difficult. However, an incident has occurred for which I cannot remain silent. Perhaps if this was an isolated incident, I could look the other way, but this is not the case. An incident that occurred at the Great Barrington Housing Authority on October 30, 2018 was the last straw in a long pattern of disrespect and intimidation shown toward me by Karen Smith, Chair of the Great Barrington Housing Authority Board of Commissioners. Ms. Smith also serves on several other town boards and committees.

I was employed by the Great Barrington Housing Authority November 13, 2017 to May 4, 2018 at which time I resigned my position. A copy of my resignation letter is enclosed. My resignation letter explains the reasons for my resignation. What the resignation letter does not state is that as an employee of GBHA, I was routinely subjected to discourtesy and disrespect by Ms. Smith. As an employee, I reported Chair Smith's actions to the Executive Director, another member of the Board of Commissioners, and several other members of our community that I trusted for guidance and support. On more than one occasion, I confided that "Karen was making my life a living hell." As a matter of fact, I almost withdrew from the Finance Committee election race due to the stress I was experiencing at the GBHA offices; Ms. Smith created a tense, hostile and oppressive workplace.

Although I was no longer an employee at the GBHA, as a citizen, I did continue to attend some of the public meetings of the GBHA Board of Commissioners.

On October 30, 2018, I attended the GBHA Board of Commissioners meeting. Among those in attendance were many Housing Authority residents, press members, two members of the Great Barrington Select Board, and Department of Housing and Community Development attorney Colin Boyle.

During this meeting, Chair Smith announced that Tina Danzy was under consideration as the Interim Executive Director of the GBHA. A public vote was taken, and Ms. Danzy was confirmed as the Interim Executive Director. After the vote, I requested a copy of Ms. Danzy's résumé, a public record. Copies were not available at the meeting, but Board member James Mercer announced that after the meeting, he would make copies for anyone who wanted a copy.

After the meeting adjourned, several people, including two members of the press waited outside the GBHA administrative offices for a copy of Ms. Danzy's résumé.

Ms. Smith entered the hallway, went into the GBHA office, and spoke to Mr. Mercer. She then announced that copies of Ms. Danzy's résumé would not be released since Ms. Danzy had not yet given notice to her current employer. I reminded Ms. Smith that Ms. Danzy's hiring had already been publicly announced and therefore, the résumé was now public information.

Ms. Smith became *extremely* angry, exited the office, and entered the hallway. With the press present, Ms. Smith moved toward me, forcing me up against the hallway wall. She came very close to my face and shouted that the reason the GBHA was in such a mess was because of my job performance. Because the press was present, I said, “be careful, Karen” at which time, she became even angrier and stormed out of the building. I was shaken, upset, and offended by Ms. Smith’s defamatory statements. I approached DHCD attorney Boyle (who was still in the GBHA common room speaking with another Board member and said, “You need to get your Chair in check or you will have another lawyer knocking on the GBHA door.”

I was so shaken by Ms. Smith’s aggressive and hostile behavior, I sat in my car to calm myself before driving; I even called my husband for comfort and support.

Ms. Smith’s conduct, as an elected official, is egregious. Ms. Smith has exhibited this conduct toward me as a citizen at public meetings, as an employee at the GBHA, and now, as a fellow elected official. It is my opinion that Ms. Smith’s comments are not only detrimental to my ability to secure new employment, but also damaging to my credibility as a Great Barrington Finance Committee member.

Ms. Smith’s negative and inappropriate behavior must end. I feel that if I say nothing, this behavior will only continue and harm others.

Steve, recently, my daughter Victoria informed me that she would like to pursue a career in government. She has recently returned to Boston from California and is now working there while applying to graduate school. Victoria said that while in California, she volunteered for political campaigns and worked for several causes and became inspired to pursue a career in the public sector; something that our government desperately needs—more young people in government! Obviously, as an MPA, I’m excited by her decision. However, if I discovered that any elected official (or *anyone* else for that matter) treated my daughter with the same conduct with which Ms. Smith treated me, I would encourage Victoria to file a complaint against that person. And because I never instruct my daughter to do something I would not do myself, I am submitting this letter to you.

I realize this is a delicate situation, but it must be addressed. I respectfully request the Great Barrington Select Board take whatever action within their authority on the egregious conduct of elected official Karen Smith, Chair of the Great Barrington Housing Authority. Thank you.

Respectfully,



Michelle Loubert

70 Division Street
Great Barrington, MA 01230
Telephone: (413) 854-8185

May 4, 2018

Ms. Vera Cartier, Executive Director
Great Barrington Housing Authority
2 Bernard Gibbons Drive
Great Barrington, MA 01230

Re: Resignation

Dear Ms. Cartier:

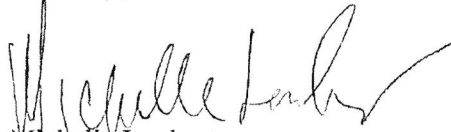
As Executive Director of the Great Barrington Housing Authority, I am submitting to you my resignation of the position of Administrative Assistant of the Great Barrington Housing Authority. The *current* personnel policy states a two week (10 day) notice is required. However, due to the many negative issues present at the Housing Authority (including but not limited to poor personnel management and financial management as well as unsatisfactory Board of Commissioners oversight), I respectfully request that my resignation be effective immediately.

Please know that it is not my intent to place extra burden on my co-workers or impede the welfare and well-being of the tenants of the Great Barrington Housing Authority. This being said, if it is your position that a two-week notice is necessary, I am willing to discuss the terms of this two-week notice period with you.

On another matter, at a recent monthly audit, Sue Honeycutt informed you that one of my "pays" was missing from the payroll records of the Great Barrington Housing Authority. Although I was paid for my time, this pay was not reflected in payroll records. Ms. Honeycutt instructed you to communicate with Adirondack Payroll on this matter. To date, I have not been informed that a correction has been made. Because this issue will impact my 2018 W2, I formally request *written* confirmation that the missing pay record is now part of the GBHA 2018 payroll records. My request is in accordance with MA Wage Hour laws.

Thank you for your time and consideration.

Sincerely,



Michelle Loubert

Post Office Box 266
Housatonic, MA 01236

Copy to: Massachusetts Department of Economic and Community Development