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TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

AGENDA

SELECTBOARD AND FINANCE COMMITTEE JOINT MEETING

AND

SELECTBOARD REGULAR MEETING

AGENDA

MONDAY, DECEMBER 16, 2019, 6:00 PM

SELECTBOARD REGULAR SESSION IMMEDIATELY FOLLOWING

TOWN HALL, 334 MAIN STREET

ORDER OF AGENDA

6:00 PM – OPEN MEETING

- I. Call to Order.
- II. Selectboard and Finance Committee
 - Tax Classification Policy and Exemptions. (Discussion/Vote)
- III. FY 2021 Budget Policy. (Discussion/Vote)
- IV. Citizen Speak Time.
- V. Adjournment.

SB REGULAR SESSION: - OPEN MEETING

1. CALL TO ORDER:

2. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS:

- A. General Comments by the Board.

3. TOWN MANAGER'S REPORT:

- A. **Updates on Department Business** – by Town Manager and/or Department Heads
- B. **Project Updates** – by Town Manager and/or Department Heads

4. LICENSES OR PERMITS:

- A. Pascual Francisco/Donaji Mexican Restaurant LLC dba Donaji Mexican Restaurant for **2020** Annual Weekday Entertainment License at 389 Stockbridge Road, Suite 2. (Discussion/Vote)
- B. Pascual Francisco/Donaji Mexican Restaurant LLC dba Donaji Mexican Restaurant for **2020** Annual Sunday Entertainment License at 389 Stockbridge Road, Suite 2. (Discussion/Vote)
- C. Breno Albuquerque/All Star Auto Salvage LLC dba Formel Auto Salvage for **2020** Class II (Second Hand Vehicles or Parts License). Discussion/Vote
- D. Breno Albuquerque/All Star Auto Salvage LLC dba Formel Auto Salvage for **2020** Class III (Second Hand Vehicles or Parts License). Discussion/Vote

**E. 2020 ANNUAL LICENSE RENEWALS,
List(s) Attached:** (Discussion/Vote)

- Common Victualler Restaurant All Alcoholic
- Common Victualler Restaurant Wine and Malt
- Common Victualler Wine and Malt without Food
- Common Victualler Innholders All Alcoholic
- Package Store All Alcoholic
- Package Store Wine and Malt
- Club All Alcoholic
- Common Victualler/Food
- Weekday Entertainment
- Sunday Entertainment
- Innholders
- Lodging House
- Amusement
- Bowling Alley
- Motion Picture
- Class II Auto
- Class III Auto

5. LICENSE(S) NOT RENEWED:

A. GMK, Inc./Risingdale Cafe (Common Victualler Restaurant All Alcoholic)

6. OLD BUSINESS:

A. Zoning for Marijuana businesses in the Downtown Business District. (Discussion/Vote)

7. NEW BUSINESS:

A. Open Citizen Petition Period January 2, 2020; 8:30 am – to January 31, 2020; 4:00 pm.
(Discussion/Vote)

B. 8 Town School Consolidation Committee. (Discussion/Vote/Appointments)

C. SB – Set dates for public forum to discuss Marijuana License Limits.
(Discussion/Vote)

8. CITIZEN SPEAK TIME:

Citizen Speak Time is an opportunity for the Selectboard to listen to our residents. The Board will not engage in a conversation, and items of particular concern or importance may be placed on the Board's future agenda.

9. SELECTBOARD'S TIME:

10. MEDIA TIME:

11. ADJOURNMENT:

12. CONVENE INTO EXECUTIVE SESSION: Not to Return to Open Session
– Selectboard Meeting Room

A. Executive Session, under MGL c.30A, §21(a)(3) to discuss litigation strategy relating to pending litigation relating to 11 Roger Road known as: (1) Belanger v. Zoning Board of Appeals, Berkshire Superior Court, C.A. No. 1876CV00134; and (2) GJO, LLC v. Ronald Majdalany et al, Land Court Docket No. 18MISC 000240 (KCL); and (3) Town of Great Barrington v. GJO, LLC, So. Berkshire District Court Docket No. 1829C11000008, if the Chair declares that an open meeting may have a detrimental effect on the Town's litigating and/or negotiating position. A vote regarding whether to go into executive session is expected; and votes may occur during the executive session.

Roll Call Vote

B. Executive Session under MGL c. 30A, sec 21 (a) (3) to discuss pending litigation and mediation relative to Environmental Appeals Board proceedings in re: GE, RCRA Appeals Nos. 16-01 to 16-05; if the chair declares such discussion, if held in open meeting, may have a detrimental effect on the legal position of the Rest of River Municipalities legal action with EPA and GE. A vote regarding whether to go into executive session is expected; and votes may occur during the executive session.

Roll Call Vote

Chair's Declaration:

I declare, under MGL c.30A, §21(a)(3) that the purpose of the executive session will be to discuss


pending litigation strategy relating to 11 Roger Road known as 1) Belanger v. Zoning Board of Appeals, Berkshire Superior Court, C.A. No. 1876CV00134; and (2) GJO, LLC v. Ronald Majdalany et al, Land Court Docket No. 18MISC 000240 (KCL); and (3) Town of Great Barrington v. GJO, LLC, So. Berkshire District Court Docket No. 1829C11000008 and to discuss litigation strategy regarding pending litigation and mediation relative to Environmental Appeals Board proceedings in re: GE, RCRA Appeals Nos. 16-01 to 16-05 and Rest of River Municipalities legal action with EPA and GE because discussions of the foregoing in open session could have a detrimental effect on the litigating and/or negotiating position of the Town and **Not To Return To Open Session** at the conclusion of the executive session.

Motion Convening the Executive Session:

I **move** that the Selectboard go into executive session under M.G.L. c.30A, §21(a)(3) for the purposes and reasons declared by the Chair and with the Board and **Not To Return To Open Session** at the conclusion of the Executive Session.

Roll Call Vote:

NEXT SELECTBOARD'S MEETING: Monday, January 13, 2020; 5:30pm @ Claire Teague Senior Center



Mark Pruhenski, Town Manager

Pursuant to MGL. 7c. 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.