

Mark Pruhenski
Town Manager

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www.townofgb.org



Town Hall, 334 Main Street
Great Barrington, MA 01230

Telephone: (413) 528-1619 x2
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TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

SELECTBOARD'S MEETING AGENDA

MONDAY, MARCH 9, 2020

7:00 PM – REGULAR SESSION

TOWN HALL, 334 MAIN STREET

ORDER OF AGENDA

7:00 PM - OPEN MEETING

1. CALL TO ORDER:

2. APPROVAL OF MINUTES:

February 10, 2020 SB Regular Meeting

3. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS:

A. General Comments by the Board.

4. TOWN MANAGER'S REPORT:

A. Department Updates

- COVID – 19 Preparedness

- Former Reid Cleaners Property - Update

B. Project Updates

- Revise Housatonic Improvement Committee Charter from 5 members to 7 members
(Discussion/Vote)

- Review of Shared Services in South County

5. LICENSES OR PERMITS:

A. Ross Pierce Cameron/Fastback Motors LLC for 2020 Annual Class II (Second Hand Motor Vehicles) License at 20 Castle Street, Great Barrington, MA. (Discussion/Vote)

B. Phornphimon "Jem" Ezinga/Steam Noodle Café LLC/Steam Noodle Café for 2020 Annual Common Victualler License at 226 Pleasant Street, Housatonic, MA. (Discussion/Vote)

C. Terrence & Terri Coughlin/Granville House LLC d/b/a Granville House for 2020 Annual Common Victualler License at 98 Divison Street, Housatonic, MA. (Discussion/Vote)

D. Terrence & Terri Coughlin/Granville House LLC d/b/a Granville House for 2020 Annual Innholders License at 98 Divison Street, Housatonic, MA. (Discussion/Vote)

6. NEW BUSINESS:

- A. SB – Recommendation to the Building Inspector on the T-Mobile Northeast LLC Application for a Building Permit for a New Wireless Telecommunication Installation at a Previously Permitted Wireless Telecommunication Facility at 29 Lewis Avenue (Fairview Hospital. (Discussion/Vote)
- B. Karen Christensen – Request for a Letter of Support for Funding a Study of Passenger Service of the Housatonic Rail Line (Senate Bills SB2096 and House Bill HB3110 (HD1892). (Discussion/Vote)
- C. SB - re: 40 Grove Street - Request from GB Affordable Housing Trust. (Discussion/Vote)
- D. Presentation of Municipal Vulnerability Preparedness (MVP) Planning Program. (Discussion/Vote)
- E. SB – Open Meeting Law Complaints from Jean Louis and Holly Hardman. (Discussion/Vote)
- F. SB – Rest of River Request – Non Binding/Advisory Warrant Article for Annual Town Meeting. (Discussion/Vote)

7. CITIZEN SPEAK TIME:

Citizen Speak Time is simply an opportunity for the Selectboard to listen to residents. Topics of particular concern or importance may be placed on a future agenda for discussion. This time is reserved for town residents only unless otherwise permitted by the chair, and speakers are limited to 3 minutes each.

8. SELECTBOARD'S TIME:

9. MEDIA TIME:

10. ADJOURNMENT:

NEXT SELECTBOARD MEETINGS: - Finance Committee Public Hearing and SB & Fin Com Jt. Meeting, March 17, 2020, 6:00 pm, Town Hall
- SB Regular Meeting, March 23, 2020, 7:00 pm, Town Hall



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.

March 5, 2020

To: Selectboard

RE: COVID-19 Update

The risk of contracting Coronavirus is considered by the Centers for Disease Control low in the United States. The risk to our local community remains low. There are no confirmed or suspected cases of Coronavirus in Great Barrington.

The Town of Great Barrington's public officials are staying up to date on the rapidly developing information regarding COVID-19 and are following the guidance of the CDC and MA Department of Public Health. A working group of local officials has recently formed and will meet on a regular bases to assess the risk to our community, discuss emergency management plans, review the most recent information and guidance from the Centers for Disease Control, and relay that information to the public.

Although the risk of contracting COVID-19 is low, flu risk is still high. The MA Department of Public Health and CDC recommend the following:

- Wash hands often with soap and warm water for at least 20 seconds
- Avoid Touching your eyes and face.
- Clean things that are frequently touched (like doorknobs and countertops) with household cleaning spray or wipes.
- Cover coughs and sneezes with a tissue or the inside of your elbow.
- Stay home when feeling sick.
- Folks that have recently traveled from Italy or South Korea (level 3 countries) are asked to self-quarantine and stay home for 14 days after returning home. Please contact your healthcare provider if you have traveled from a level 3 country and have symptoms consistent with those related to COVID-19.

Clinicians who have patients whom they believe may have symptoms consistent with Coronavirus must contact the MA Department of Public Health via the 24/7 Epidemiology line: (617)-983-6800.

HOUSATONIC IMPROVEMENT COMMITTEE
(PROPOSED REVISIONS IN RED)

Whereas, in accordance with the authority granted to it by the Great Barrington Town Charter, the Selectboard may create special purpose committees; and,

Whereas, the support of a thriving Housatonic Village is a goal of the 2013 Great Barrington Master Plan approved by the Planning Board and Selectboard;

Whereas, a thriving Housatonic Village will benefit existing and future residents and businesses of the Village specifically as well as the Town of Great Barrington generally.

Now therefore, in response to the need to encourage redevelopment, infrastructural advancement, and cultural growth in the Village of Housatonic, on this day of December 9th, 2019, the Selectboard hereby resolves and creates the Housatonic Improvement Committee, as set forth below.

ARTICLE I: TITLE AND PURPOSE

1. The purpose of the Housatonic Improvement Committee (hereinafter the “Committee”) is to foster the social, and cultural well-being of Housatonic.
2. The purpose of these regulations is to establish the responsibilities, duties, composition, and procedures for the operation of this Committee.

ARTICLE II: RESPONSIBILITIES AND DUTIES

1. Research, understand, evaluate and advocate local issues, challenges and opportunities encountered by those who live, work, and do business in Housatonic.
2. Coordinate and collaborate with other local groups organized to meet the needs of Housatonic residents.
3. Review and make recommendations about policies, procedures, services and activities of departments and agencies of the Town of Great Barrington as they affect residents of Housatonic.
4. Work in cooperation with the departments and boards of the Town of Great Barrington - to bring about maximum participation of Housatonic residents.
5. Initiate, monitor, and promote legislation at the municipal, state, and federal level which advances the prosperity and opportunity of Housatonic residents.

6. Recruit and recommend prospective Committee members to the Town Manager. At least one month prior to making recommendations, the Committee shall solicit nominations and ensure that said nominations meet the necessary criteria.

7. File an annual report, which shall be printed in the Town report.

ARTICLE III: MEMBERSHIP

1. The Committee shall consist of ~~five~~^{seven} members appointed by the Town Manager. All members must live in Voting Precinct B. At least one member shall be either an elected or appointed official of the Town.

2. The terms of the first members of said Committee shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successor shall be appointed for terms of three years each.

3. Resignation shall be made by notifying the chairperson of the Committee and ~~the members of~~ the Town Manager in writing.

4. If any member is absent from three regularly scheduled meetings in any one calendar year, a recommendation shall be made to the Town Manager that he/she be removed from the Committee, unless any or all absences have been excused for good cause by the chairperson. Good cause shall include, but not be limited to: illness, a death in the family, weather, and professional responsibilities.

5. The Town Manager shall fill any vacancy for the remainder of the unexpired term in the same manner as an original appointment.

6. The Selectboard may remove or override the appointment of members of said Committee for cause by majority vote of the entire board, as described in Chapter C, Section 6 (d) (4) of the Town Charter.

7. Members shall get the approval of the Committee prior to making statements or joining activities on behalf of the Committee.

8. All members shall have full voting rights in Committee matters.

ARTICLE IV: OFFICERS

1. The officers shall include a chairperson, vice chairperson, and secretary.

2. Officers shall be elected annually by the majority vote of the Committee, at the first meeting after the annual Town elections in May.

3. Duties:

- a. The chairperson shall:
 - i. Develop the agenda in coordination with the other officers;
 - ii. Preside over all meetings;
 - iii. Appoint Subcommittees as needed;
 - iv. Authorize expenditures as needed.
- b. The vice chairperson shall perform all the functions of the chairperson in his/her absence.
- c. The secretary shall:
 - i. Keep records of all meetings attendance, minutes, and correspondence.
 - ii. Post notices of all meetings forty-eight (48) hours before each meeting at the Town Clerk's Office.

ARTICLE V: MEETINGS

- 1. Regular meetings shall be held at least four (4) times a year.
- 2. A quorum shall consist of ~~threefour~~ (43) members.
- 3. Meeting minutes will be reviewed, amended and approved at the next meeting.
- 4. Special meetings can be called by the chairperson or by any ~~threefour~~ (43) members.
- 5. Decisions will be made by a majority of the quorum.

ARTICLE VI: AMENDMENTS

- 1. Proposed amendments to these regulations may be recommended to the Great Barrington Selectboard, which may in turn vote to approve, modify and approve, or disapprove on proposed amendments.

HOUSATONIC IMPROVEMENT COMMITTEE GOALS

1. PROMOTE GROWTH OF CULTURE & THE ARTS IN HOUSATONIC.

- Identify cultural and arts organizations in the community and explore ways through which they can bring their work to Housatonic.
- Work with the Cultural Council to identify grant funding opportunities for the arts that pertain to Housatonic.

2. IDENTIFY & ENCOURAGE REDEVELOPMENT OPPORTUNITIES IN HOUSATONIC:

- Explore redevelopment opportunities for unused or underutilized properties, whether publicly or privately owned, in Housatonic.
- Explore ways through which former mill facilities can be redeveloped in a way that benefits all in the community.
- Promote other vacant properties and encourage development.

4. INCREASE ACCESSIBLE AFFORDABLE HOUSING:

- Work with housing authority to increase adaptable and accessible housing.
- Meet with local builders/developers to encourage development of accessible and adaptable housing.

5. PROMOTE ACCESS TO CLEAN DRINKING WATER

- Work with Housatonic Water Works to ensure that the quality of drinking water in Housatonic is on par with that provided in Great Barrington.
- Work with Housatonic Water Works to ensure that infrastructure pertaining to water is well maintained.

6. PROMOTE INCREASED DEVELOPMENT OF RENEWABLE ENERGY INFRASTRUCTURE AND SUSTAINABLE PRACTICES IN HOUSATONIC

- Working with appropriate staff and boards including the Selectboard, Town Manager, Planning Staff, Building Inspector, and Department of Public Works, identify ways through which Housatonic can promote renewable energy infrastructure and other sustainable practices.

7. IDENTIFY AND ADVOCATE FOR IMPROVED INFRASTRUCTURE

- Working with appropriate staff and boards including the Selectboard, Town Manager, Planning Staff, Building Inspector, and Department of Public Works, identify ways through which Housatonic's infrastructure can be improved.
- An example includes reviewing and, if need be, addressing pedestrian safety measures in the village.

Revised:

February 10, 2020

March 9, 2020

EXECUTIVE SUMMARY

TITLE: Shared Service Offerings

BACKGROUND: At the February 24th meeting, Ed Abrahams requested the Town Manager survey the Department Heads and collect information on the services we provide to neighboring towns. The following is a complete list of those additional services and the revenue generated from each (does not include services provided through mutual aid agreements):

Police Department:

- Lock-up and breath-testing equipment services- \$100/prisoner. Increased to \$150/night for FY21.
- Civilian fingerprint services- \$10
- Prescription medication disposal- No charge
- Safe Exchange Zone- No charge
- Accident re-construction (Trained Officer)- No charge
- K-9 Services- No charge
- Co-Responder Services- No charge
- Drug Recognition Expert (DRE) (Training 1 Officer currently)- No charge/services not yet available

Fire Department:

- Inspectional Services- Town of Sheffield/\$13,500 for remainder of FY20, and \$24,000 for FY21.
- Meeting Space- \$35/day.

Libraries (Mason and Ramsdell):

- Out of State Residents- \$25/year for library card
- Library Services- Town of Alford/\$1,100/yr. Rate increases to \$1,500 in FY21.

Senior Center/COA:

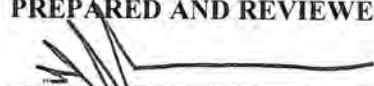
- Center services open to all seniors regardless of residency. (Only 1 of 2 centers in South County)
- Meeting space provided to various groups- Ranges from \$0 to \$75/use to \$30-50/month.
- Southern Berkshire Elderly Transportation Corp (SBETC)- Office space and parking for 3 vans. Serves GB, Clayton/Hartsville, Mill River/New Marlborough/Southfield, Monterey, Alford, Egremont, and Sandisfield. No charge.

FISCAL IMPACT: It is unclear what the fiscal impact of the above services is for the Town of Great Barrington since most are not tracked at this time.

RECOMMENDATION: The Town Manager recommends the Selectboard invite the above department heads in to discuss the above services, potential costs, benefits, etc. and delay any modifications until that time.

PREPARED AND REVIEWED BY:

DATE:


Mark Prudenski/Town Manager

3/4/2020

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF GREAT BARRINGTON

APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE OR ASSEMBLE
SECOND HAND MOTOR VEHICLES OR PARTS THERE OF
CLASS II

In accordance with the provisions of Chapter 140 of the General Laws, Section 57, 58 & 59

Applicant Name: Fastback Motors, LLC

Business Name: Fastback Motors, LLC

Business Address: 20 Castle Street

City, ST & Zip: Great Barrington, MA 01230

Mailing Address: 8690 S. Maryland Parkway, Suite 220

City, ST & Zip: Las Vegas, NV 89123

Phone: 413-528-0630 Email: kmccormick@mccormicklegal.com

Circle One:

Individual

Co-Partnership

Association

Corporation

*Limited Liability Company

If an individual, state full name and residential address:

If a co-partnership, state full names and residential address of co-partners:

If an association or a corporation, state full names and residential addresses of principal officers:

~~President:~~ **Manager** Ross Pierce Cameron, 8690 S. Maryland Parkway, Suite 220, Las Vegas, NV 89123

Secretary: _____

Treasurer: _____

Are you engaged principally in the business of buying, selling or exchanging motor vehicles? YES NO

If so, is your principal business the sale of new motor vehicles? YES NO

Is your principal business the buying and selling of second hand motor vehicles? YES NO

Is your principal business that of a motor vehicle junk dealer? YES NO

Give a complete description of the premises to be used for this business:

20 Castle Street, Great Barrington, Massachusetts - see Exhibit A attached hereto for location details

See Exhibit B for more information

Are you a recognized agent of a motor vehicle manufacturer? YES NO

If so, state the name of the manufacturer: _____


Have you signed a contract as required by Section 58, Class 1? YES NO

Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? YES NO

If so, in what City/Town: _____

Did you receive a license? N/A YES NO

Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts there of ever been suspended or revoked? N/A YES NO



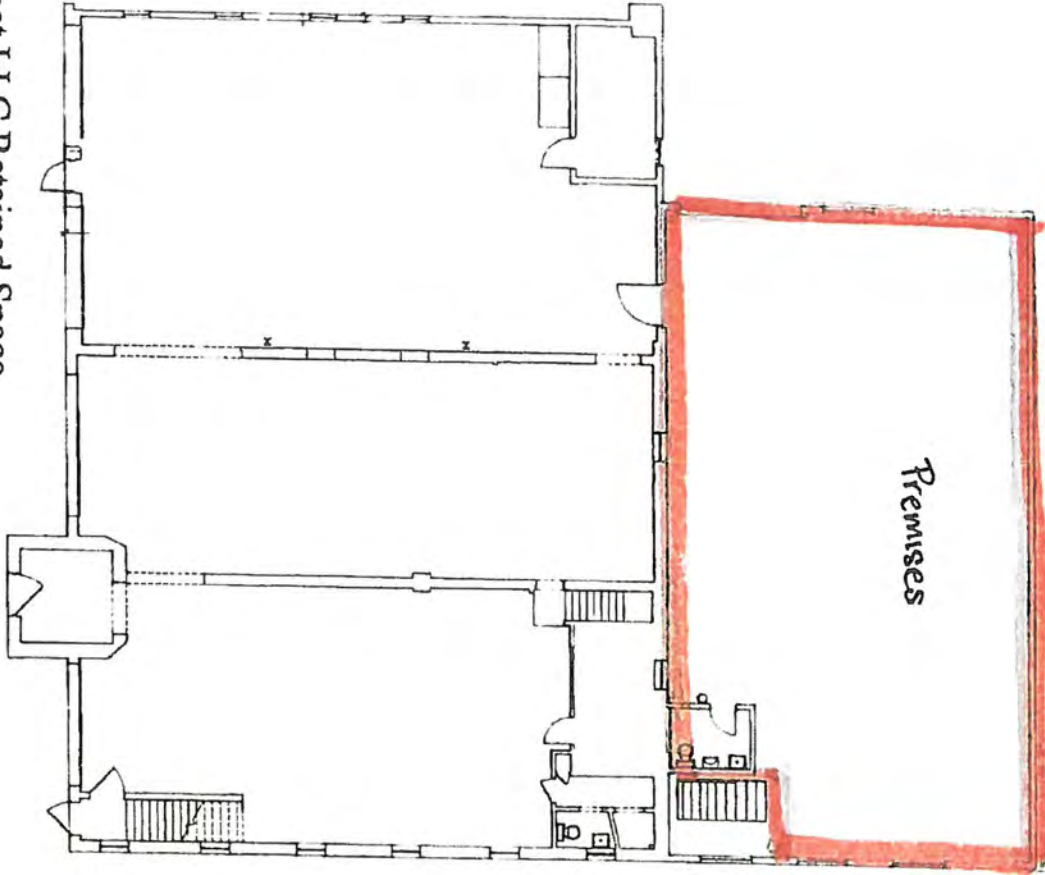
Signature

2/19/2020

Date

EXHIBIT A

① 20 Castle Street LLC Retained Space
 SCALE: 3/32" = 1'-0"



E1.0	HARRISON	DATE: 11/11/11	PROJECT: 20 Castle Street LLC Retained Space	Lease Document	HARRISON ARCHITECTURE 125 Main Street Great Barrington, MA
				Great Barrington Fire Station 20 Castle Street Great Barrington, Massachusetts	

EXHIBIT B
Mechanic Information


Fastback Motors, LLC will engage the services of Autobahn Service if/when necessary.

Autobahn Service
1851 N. Main Street
Sheffield, MA 01257
413-528-2227

EXHIBIT C

Storage Information

Fastback Motors, LLC will store cars within the building located at 20 Castle Street, Great Barrington, which area is further described on Exhibit A of this application. Fastback Motors, LLC will average approximately 5 classic cars in its possession at any given time but may have approximately 10 classic cars at its maximum capacity. No vehicles will be stored outside the building.

EXHIBIT 

Fastback Motors, LLC will not be open to the general public and intends to make private appointments for those interested in purchasing a used vehicle.



THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF GREAT BARRINGTON
BERKSHIRE COUNTY
BUSINESS CERTIFICATE
2020

Certificate Number: 56-20

Date: March 4, 2020

Personally appeared before me,

Fastback Motors, LLC / Ross Pierce Cameron

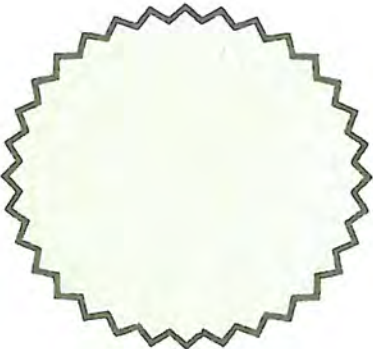
DBA: Fastback Motors

And made an oath that the foregoing statement is true:

- A certificate issued in accordance with this section shall be in force and effect for four years from date of issue and shall be renewed each four years thereafter so long as such business shall be conducted and shall lapse and be void unless so renewed.

Expiration Date: March 04, 2024

Katherine Couch
TOWN CLERK (or ASSISTANT)



2020

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF GREAT BARRINGTON
APPLICATION FOR COMMON VICTUALLER LICENSE**

FEE: \$25.00 (Payable to the Town of Great Barrington) **DATE:** 2/28/2020

NOTICE:

As provided by MGL Chapter 140, the sale of food for immediate consumption on the premises of the vendor has an intimate relation to the public health, and such activity cannot be conducted without the proper license and permit.

TO THE LICENSING AUTHORITY:

The undersigned hereby applies for a Common Victualler License in accordance with the provisions relating thereto:

OWNER(S) NAME: PHORNPHIMON "JEM" EZINGA

NAME OF BUSINESS: STEAM NOODLE CAFE LLC

D/B/A (if applicable): STEAM NOODLE CAFE

BUSINESS MAILING ADDRESS: PO BOX 152 HOUSATONIC MA 01236-0152

BUSINESS TELEPHONE: 413-566-6353 **HOME TELEPHONE:** 413-376-8286

LOCATION WHERE LICENSE IS TO BE USED: _____

226 PLEASANT STREET, HOUSATONIC, MA, 01236

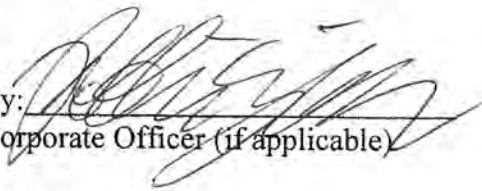
DAYS OF OPERATION: 7 Days

HOURS OF OPERATION: 06:00 am - 11:00 pm

DESCRIPTION OF PREMISES: 1700 sq ft food storage and prep,
Cafe and Market space, 20 seats.

Pursuant to M.G.L. Ch. 62C, Sec. 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

STEAM NOODLE CAFE LLC
Signature of Individual or Corporate Name

By: 
Corporate Officer (if applicable)

'SS# _____ or FID# 82-4631812

2020

COMMONWEALTH OF MASSACHUSETTS
TOWN OF GREAT BARRINGTON
APPLICATION FOR COMMON VICTUALLER LICENSE

FEE: \$25.00 (Payable to the Town of Great Barrington) DATE: 2/14/20

NOTICE:

As provided by MGL Chapter 140, the sale of food for immediate consumption on the premises of the vendor has an intimate relation to the public health, and such activity cannot be conducted without the proper license and permit.

TO THE LICENSING AUTHORITY:

The undersigned hereby applies for a Common Victualler License in accordance with the provisions relating thereto:

OWNER(S) NAME: Terrence + Terri Coughlin

NAME OF BUSINESS: Granville House LLC

D/B/A (if applicable): Granville House

BUSINESS MAILING ADDRESS: 98 Division Street, Great Barrington, MA
01230

BUSINESS TELEPHONE: 201-450-1824 HOME TELEPHONE: _____

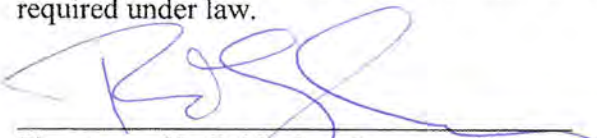
LOCATION WHERE LICENSE IS TO BE USED: 98 Division Street

DAYS OF OPERATION: Monday - Sunday

HOURS OF OPERATION: 24 hours

DESCRIPTION OF PREMISES: A 5 guestroom Bed and Breakfast

Pursuant to M.G.L. Ch. 62C, Sec. 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.



Signature of Individual or Corporate Name

By: _____
Corporate Officer (if applicable)

SS# _____ or FID# _____



THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF GREAT BARRINGTON
BERKSHIRE COUNTY
BUSINESS CERTIFICATE

2020

Certificate Number: 51-20

Date: February 14, 2020

Personally appeared before me,

Terrence Coughlin

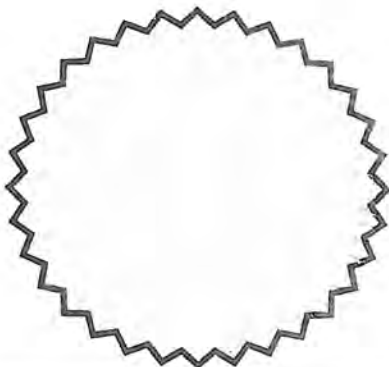
DBA: Granville House

And made an oath that the foregoing statement is true:

- A certificate issued in accordance with this section shall be in force and effect for four years from date of issue and shall be renewed each four years thereafter so long as such business shall be conducted and shall lapse and be void unless so renewed.

Expiration Date: January 1, 2024

Katherine Couch
TOWN CLERK (or ASSISTANT)



2020
**COMMONWEALTH OF MASSACHUSETTS
TOWN OF GREAT BARRINGTON
APPLICATION FOR INNHOLDERS LICENSE**

FEE: \$50.00

DATE: 2/14/20

LICENSE NUMBER: _____

TO THE LICENSING AUTHORITY:

The undersigned hereby applies for an Innholders License in accordance with the provisions relating thereto:

OWNER(S) NAME: Terrence + Terri Coughlin

NAME OF BUSINESS: Granville House LLC

D/B/A (if applicable): Granville House

BUSINESS MAILING ADDRESS: 98 Division Street, Great Barrington MA 01230

BUSINESS TELEPHONE: 201-450-1824 HOME TELEPHONE: _____

LOCATION WHERE LICENSE IS TO BE USED: 98 Division Street

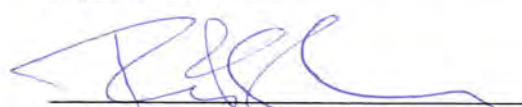
DAYS OF OPERATION: Monday - Sunday

HOURS OF OPERATION: 24 hours

DESCRIPTION OF PREMISES: Granville House is a 5 guestroom Bed and Breakfast

NUMBER OF ROOMS: 5

Pursuant to M.G.L. Ch. 62C, Sec. 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.



Signature of Individual or Corporate Name

By: _____
Corporate Officer (if applicable)

SS# _____ or FID# _____

Item 6A. of the Selectboard Agenda:

SB Recommendation to the Building Inspector on the T-Mobile Northeast LLC application for a building permit for a new wireless telecommunication installation at a previously permitted wireless telecommunication facility at 29 Lewis Avenue.

The full application is available for Download at the following link:

<https://www.dropbox.com/s/9sw7w5dkdz6dsvh/T-Mobile%20application%20for%20SB%20%2B%20PB%20Review-%2029%20Lewis%20Avenue%20Great%20Barringt....pdf?dl=0>

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



Town Hall, 334 Main Street
Great Barrington, MA 01230

Telephone: (413) 528-1619 x2
Fax: (413) 528-2290

TOWN OF GREAT BARRINGTON MASSACHUSETTS

SELECTBOARD

March 9, 2020

Senator Adam G. Hinds
24 Beacon Street
State House, Room 109-E
Boston, MA 02133

Dear Senator Hinds:

The Town of Great Barrington strongly supports the study focused on rail service between New York City and Berkshire County. The Housatonic Line Passenger Rail Service was ranked #1 in Berkshire Regional Planning Commission's 2020 Regional Transportation Plan (RTP). The East-West rail initiative is intended to bring frequent, daily, year-round passenger service from Boston to Pittsfield, where it would connect with Housatonic Line service from New York City.

Re-establishing the Housatonic Line passenger train service from Pittsfield to NYC would be of inestimable economic help to our area. It would offer our residents the opportunity to more easily access the NYC area as well as enhance the availability of the culture-rich Berkshires to visitors. Anything you can do to support Senate Bill SB2096 and House Bill HB3110 (HD1892) would be greatly appreciated.

Sincerely

Stephen Bannon
Chair

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



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TOWN OF GREAT BARRINGTON MASSACHUSETTS

SELECTBOARD

March 9, 2020

Representative Paul Mark
24 Beacon Street
State House, Room 160
Boston, MA 02133

Dear Representative Mark:

The Town of Great Barrington strongly supports the study focused on rail service between New York City and Berkshire County. The Housatonic Line Passenger Rail Service was ranked #1 in Berkshire Regional Planning Commission's 2020 Regional Transportation Plan (RTP). The East-West rail initiative is intended to bring frequent, daily, year-round passenger service from Boston to Pittsfield, where it would connect with Housatonic Line service from New York City.

Re-establishing the Housatonic Line passenger train service from Pittsfield to NYC would be of inestimable economic help to our area. It would offer our residents the opportunity to more easily access the NYC area as well as enhance the availability of the culture-rich Berkshires to visitors. Anything you can do to support Senate Bill SB2096 and House Bill HB3110 (HD1892) would be greatly appreciated.

Sincerely,

Stephen Bannon
Chair



Great Barrington Affordable Housing Trust Fund

Town Hall • 334 Main Street • Great Barrington, MA 01230

To the Great Barrington Selectboard,

The board of the Affordable Housing Trust Fund has voted to recommend, to the Selectboard, that they add an article to the Town Meeting Warrant, which would allow the Selectboard to donate the property at 40 Grove Street, to Habitat for Humanity, to restore the house and create a permanently affordable, single family, home-ownership property.

We also ask that the Selectboard consult with staff and town counsel to determine the best way to transfer the property, to achieve this end. In addition, we ask that the back taxes on the property be forgiven and that the town conduct a phase 1 environmental study, to protect both the town and Habitat from any potential environmental liability.

The AHTF board also recommends that the exterior of the structure be restored, as close as possible, to its original condition, using *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Historic Buildings* publication as a reference guide.

Sincerely,

A handwritten signature in black ink that reads 'Bill Cooke'.

Bill Cooke

Chair, GBAHTF



OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: Jean Last Name: Louis

Address: 360 Park St. #8

City: Great Barrington State: MA Zip Code: 01230

Phone Number: 707-343-7373 Ext. _____

Email: xhina33@gmail.com

Organization or Media Affiliation (if any): _____

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

Individual Organization Media

Public Body that is the subject of this complaint:

City/Town County Regional/District State

Name of Public Body (including city/town, county or region, if applicable): Berkshire County

Specific person(s), if any, you allege committed the violation: GE

Date of alleged violation: TBD

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

We do not want a PCB dump in Berkshire County. We the county people need to have a say in this matter and need to be included in the decision making process. We are the owners of the land and as such are stewards of both the land and water which needs to be protected. This is a major tourist destination and a toxic dump has no place here.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

There needs to be a county/town meeting to vote on this matter by the residents.

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

Publication to Website. As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: Jean M. Louis

Date: 2/22/20

*For Use By Public Body
Date Received by Public Body:*

*For Use By AGO
Date Received by AGO:*

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



Town Hall, 334 Main Street
Great Barrington, MA 01230

Telephone: (413) 528-1619 x2
Fax: (413) 528-2290

TOWN OF GREAT BARRINGTON MASSACHUSETTS

SELECTBOARD

March 9, 2020

Jean Louis
360 Park Street #8
Great Barrington, MA 01230

RE: Open Meeting Law Complaint of February 22, 2020

Dear Jean:

The Town is in receipt of your Open Meeting Law (OML) complaint. Your complaint alleges the following:

1. Residents of the County need to be included in the decision making process for the Rest of River settlement. The public body listed in your complaint as having violated the OML is "Berkshire County", and the specific person you allege committed the violation is "GE", with a date of the violation listed as "TBD". The action you are requesting is that "there needs to be a county/town vote on this matter by residents".

In response to these claims, we submit the following factual information:

1. Your OML complaint is not directed at the Town of Great Barrington, but rather "Berkshire County" and specifically "GE", for an alleged violation listed as "TBD". Your complaint does not list any violations of the OML by the Town of Great Barrington or by any official or employee of the Town.

In conclusion, we do not believe that the alleged OML violations have merit.

The Selectboard continues to obey and respect the Open Meeting Law by operating in a transparent fashion at all times, and we hope this response clears up any concerns you may have.

Sincerely,

Stephen Bannon, Chairman
cc: Office of the Massachusetts Attorney General

Holly Hardman
29 Sumner Street
Great Barrington, MA 01230
hollyhardman429@gmail.com

March 1, 2020

Town of Great Barrington Select Board —

Stephen Bannon, Edward Abrahams, Kate F. Burke Bill Cooke, Leigh S. Davis
and Christopher Rembold, representative to the Rest of River mediation

Town Hall
334 Main Street
Great Barrington, MA 01230

Dear Messrs and Meses Bannon, Abrahams, Burke, Cooke, Davis, and Rembold:

I am attaching the Open Meeting Law Complaint that I am filing in response to your settlement with General Electric and the Environmental Protection Agency that puts our region's and our town's public health, environment, economy, natural ecology, and general quality of life at significant and increasing risk.

I write to you as a good neighbor and hope that we can work together to keep our community safe, prosperous, and beautiful with a remediated river that does not put any populated community at risk either in the Berkshires or beyond. It is my hope that there is an area in an unpopulated region that is, or can be, designated a safe repository for PCBs. We must, as a group, consider the human health, economic, and ecological risks if/when we are able to pursue PCB remediation for the Housatonic River without creating a new toxic dump in our region.

Very best regards,



Holly Hardman

2 attachments

RECEIVED
TOWN OF GREAT BARRINGTON
MAR 3 2020
SELECTBOARD &
TOWN MANAGER'S OFFICE



OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: Holly Last Name: Hardman

Address: 29 Sumner Street

City: Great Barrington State: MA Zip Code: 01230

Phone Number: 4133463925 Ext. _____

Email: hollyhardman429@gmail.com

Organization or Media Affiliation (if any): _____

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

Individual Organization Media

Public Body that is the subject of this complaint:

City/Town County Regional/District State

Name of Public Body (including city/town, county or region, if applicable): Town of Great Barrington Select Board and representative to the Rest of River mediation

Specific person(s), if any, you allege committed the violation: Stephen Bannon, Edward Abrahams, Kate F. Burke Bill Cooke, Leigh S. Davis, and Christopher Rembold

Date of alleged violation: 1st violation - fall 2018; 2nd violation - between Feb 1-10, 2020

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

I believe that, whether intentional or not, the Town of Great Barrington Select Board committed one, and possibly two, open meeting law violations related to entering, and then deliberating over and voting on mediation over litigation with General Electric (GE) and the Environmental Protection Agency (EPA) about GE's mandated cleanup of the Housatonic River. The Town of Great Barrington Select Board, joining with the select boards of four other towns in southern Berkshire County, signed a binding settlement agreement that has enormous impact on public health, the local economy, quality of life, the safety of our water, and our common natural resources without, what I am claiming, is the required open meeting transparency and without a proper voting process. The community was blindsided by the select board's announcement and is in great distress, as many find the settlement's terms unacceptable. The towns accepted between 1.5 million and 25 million dollars in varying payouts per town from GE, and accepted creation of a local toxic waste dump despite years of public claims of resistance to such a dump. Many in the community are concerned about the pressures the select boards were put under by GE, the EPA, and their lawyers to have so grievously violated the trust of their constituents. Further, many in the community are concerned that the current federal political climate, with its pro-corporate allegiance, having weakened the EPA and instructed them to seek such settlements nationwide, is now pressuring and influencing local governments, and that even within our select board, fear of corporate power is causing a serious erosion of democracy. Even if this last point does not directly violate some specific letter of the law, an entire community is in distress over this violation of the spirit of the law. I have not been made aware of a record in open minutes that suggests that the select board were transparent about their intentions to enter mediation, which may have been a first violation, sometime in the fall of 2018. I am certain that they did not conduct an open meeting to share their deliberations publicly or to cast their votes, which, I am to understand were made in executive session sometime between February 1-10, 2020, and constitute either a first or second violation. The law that I found that I believe supports this claim is Section 21, Part A, 9, i & ii, however, I am not a lawyer and am unsure if there is another law that contradicts or better supports this claim. Thank you for your consideration.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

I ask that the Select Board withdraw its consent to the settlement until the public can be properly and legally involved, with the community's will considered, in all decisions about the fate of the Housatonic. I want the Select Board to release the executive session minutes of the meetings in which they deliberated and voted on the remediation plan. And I would like to learn what pressures GE, the EPA, or their lawyers placed on other parties to secure their assent.

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

Publication to Website. As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: _____

Date: _____

For Use By Public Body

For Use By AGO

Date Received by Public Body:

Date Received by AGO:

STEPHEN C. BANNON
CHAIR

EDWARD ABRAHAMS
WILLIAM COOKE
KATE BURKE
LEIGH DAVIS



Town Hall, 334 Main Street
Great Barrington, MA 01230

(413) 528-1619 x2
Fax: (413) 528-2290
www.townofgb.org

TOWN OF GREAT BARRINGTON MASSACHUSETTS

SELECTBOARD

March 9, 2020

Holly Hardman
29 Sumner Street
Great Barrington, MA 01230

RE: Open Meeting Law Complaint of March 1, 2020

Dear Ms. Hardman,

The Town is in receipt of your Open Meeting Law (OML) complaint. In summary, your complaint alleges the following:

1. The "Town of Great Barrington Selectboard and representatives to the Rest of River mediation" violated the Open Meeting Law (OML) by "...deliberating over and voting on mediation over litigation with General Electric (GE) and the Environmental Protection Agency (EPA) about GE's mandated cleanup of the Housatonic River", and the specific person(s) you allege committed the violation are, "Stephen Bannon, Edward Abrahams, Kate F. Burke, Bill Cooke, Leigh S. Davis, and Christopher Rembold," with a date of the violations listed as "1st violation- fall 2018, 2nd violation- between Feb. 1-10, 2020". The action you are requesting is, "I ask that the Selectboard withdraw its consent to the settlement until the public can be properly and legally involved, with the community's will considered, in all decisions about the fate of the Housatonic. I want the Selectboard to release the executive session minutes of the meetings in which they deliberated and voted on the remediation plan. And I would like to learn what pressures GE, the EPA, or their lawyers placed on other parties to secure their assent".

In response to these claims, we submit the following factual information:

1. The Selectboard appointed staff members to represent the town on the "Housatonic Rest of River Municipal Committee" (the RoR Committee) under the authority granted to them in M.G.L. c. 40, §2. All meetings were properly posted by the RoR Committee and were held in executive session as permitted within the OML for litigation.

2. The Selectboard met in properly posted executive session meetings to consider the issues and proposed settlement of litigation.
3. The Selectboard has been advised by counsel, that they have the authority to settle legal matters related to the "Rest of River" agreement and that Town Meeting has no statutory authority to rescind the settlement agreement. Any vote of Town Meeting would be non-binding and strictly advisory.
4. The executive session minutes, on the advice of Town Counsel, will not be released at this time. This matter is not yet closed and may be subject to further litigation. The minutes will be released when and if it is determined that their release is appropriate and will not jeopardize the Town's position.

In conclusion, we do not believe that the alleged OML violations have merit.

The Selectboard continues to obey and respect the Open Meeting Law and we hope this response clears up any concerns you may have.

Sincerely,

Stephen Bannon, Chairman

cc: Office of the Massachusetts Attorney General