Mark Pruhenski Town Manager

E-mail: mpruhenski@townofgb.org www.townofgb.org



Town Hall, 334 Main Street Great Barrington, MA 01230

Telephone: (413) 528-1619 x2900 Fax: (413) 528-2290

TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

REVISED AGENDA

Item 10 was updated to include the name of the person filing the Open Meeting Law Complaint.

Selectboard Meeting via Zoom Order of Agenda for Monday, September 13, 2021, at 6:00 PM

Please click the link below to join the webinar: https://us02web.zoom.us/j/84818929785?pwd=Sm1sWjJHL3RUSGVTaFVFWlFnR0MzZz09

Webinar ID: 848 1892 9785

Passcode: 013013

Dial-in, audio-only: (929) 205 6099

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's June 16, 2021 Revised Order extending remote participation by all members in any meeting of a public body, this meeting of the Great Barrington Selectboard will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on town's website, at www.townofgb.org. For this meeting, members of the public who wish to listen to the meeting may do so in the following manner: See instructions at the top of the agenda. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means.

*****ALL VOTES ARE ROLL CALL*****

1. CALL TO ORDER SELECTBOARD REGULAR MEETING

2. CONVENE AS SEWER COMMISSIONERS

a. Night Soil Rates

3. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS

4. TOWN MANAGER'S REPORT

- a. Housatonic Water Works
- b. Recent Committee Appointments
- c. Route 71 Grant for Paving
- d. Public Works Project Updates

5. LICENSES AND PERMITS

a. Katherine Stookey for a one Day Beer & Wine License for a reception after the memorial service for John Stookey, to be held at Berkshire South Community Center 15 Crissey Road on Saturday September 25 from 3:00PM to 7:00PM.

6. NEW BUSINESS

- a. Hispanic Heritage Month Proclamation
- b. Special Permit application from GB Historic Preservation LLC, c/o Paul Joffe, 198 Main Street. Review and comment to the Planning Board on the application which seeks relief from the sign bylaw regulations that require free standing signs to be not closer than 10 feet to the travelled way. The sign is located at 198 Main Street.

7. CITIZEN SPEAK TIME

Citizen Speak Time is 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. EXECUTIVE SESSION not to return to open session

a. Executive Session pursuant to Massachusetts General Laws Chapter 30A Section 21(a)(1) for the following purpose: to discuss complaints brought against a public officer, employee, staff member or individual (OML Complaint-E. Mooney).

11. ADJOURNMENT

UPCOMING SELECTBOARD MEETIGS

September 27, 2021

October 4, 2021

October 25, 2021

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 be brought up for discussion to the extent permitted by law.



TOWN OF GREAT BARRINGTON MASSACHUSETTS

DEPARTMENT OF PUBLIC WORKS

EXECUTIVE SUMMARY

TITLE: Septage Rates

BACKGROUND: During FY 21 the Great Barrington Wastewater Treatment Plant saw a 141,000 gallon increase of septage receiving. The wastewater plant processed nearly 3 million gallons of septage last year and generated nearly \$324,000. The increase was driven by private septic systems. In the same period of time the town paid an increase costs to process and dispose of the sludge generated by the septage.

RECOMMENDATION: That the Sewer Commissioners raise the rates for septage receiving from .11 cents per gallon to .143 per gallon effective November 1, 2021 to cover the increase costs of processing and to help cover future capital improvements at the wastewater plant.

FISCAL IMPACT: The Wastewater Enterprise Fund will generate an additional \$95,000 annually in septage receiving fees.

Prepared and reviewed by:

Sean VanDeusen, DPW Superintendent

DATE: 9/10/2021

Approved by:

DATE: 9/10/2021

Mark Pruhenski, Town Manager

Fee: \$25.00 (per day)

5a



APPLICATION FOR ONE DAY LIQUOR LICENSE

TO THE LICENSING AUTHORITY: The undersigned hereby applies for a License in accordance with the provisions relating thereto: Applicant's Name: Katherine Stockey **Organization Name:** Applicant's Address: 49 W. Sheffield Rd. Great Barrington Telephone Number: 413 - 528 - 454 Type of License: **ONE DAY BEER & WINE** ONE DAY ALL ALCOHOLIC (Circle one) Event: reception after memorial service for John Stockey Date: <u>Set Sept 25</u> Start Time: <u>3 pm</u> End Time: <u>7 pm</u> Event Address: <u>Berkshire South Community Lenfer</u> Is the Event on Town property? NO YES PLEASE ATTACH THE FOLLOWING TO YOUR APPLICATION: 1. TIPS or ServSafe Alcohol certification for anyone serving alcohol.

- Certificate of Insurance showing proof of Liquor Liability coverage. (If the event is on Town property, the certificate must name the Town of Great Barrington as additional insured.)
- 3. If the event is not on applicant's property, a letter of permission from the owner is required.

Liability: The below individual agrees to take responsibility for the above-noted event and further agrees to indemnify, save harmless, and defend the Town of Great Barrington, its officers, employees and agents, from and against any and all liabilities, claims, penalties, forfeitures, suits, and the costs and expenses incident thereto, which may occur in connection with this event.

herine stoot Signature of Applicant

Sept 2, 2021

FOR TOWN USE:

Approved

Denied _____

Postponed _____

Lompletion rtiticate of

This Certificate of Completion of

eTIPS On Premise 3.1 - New York For coursework completed on June 15, 2021

ror coursework completed on june 13, 2021 provided by Health Communications, Inc. is hereby granted to:

Akeem Scott

......

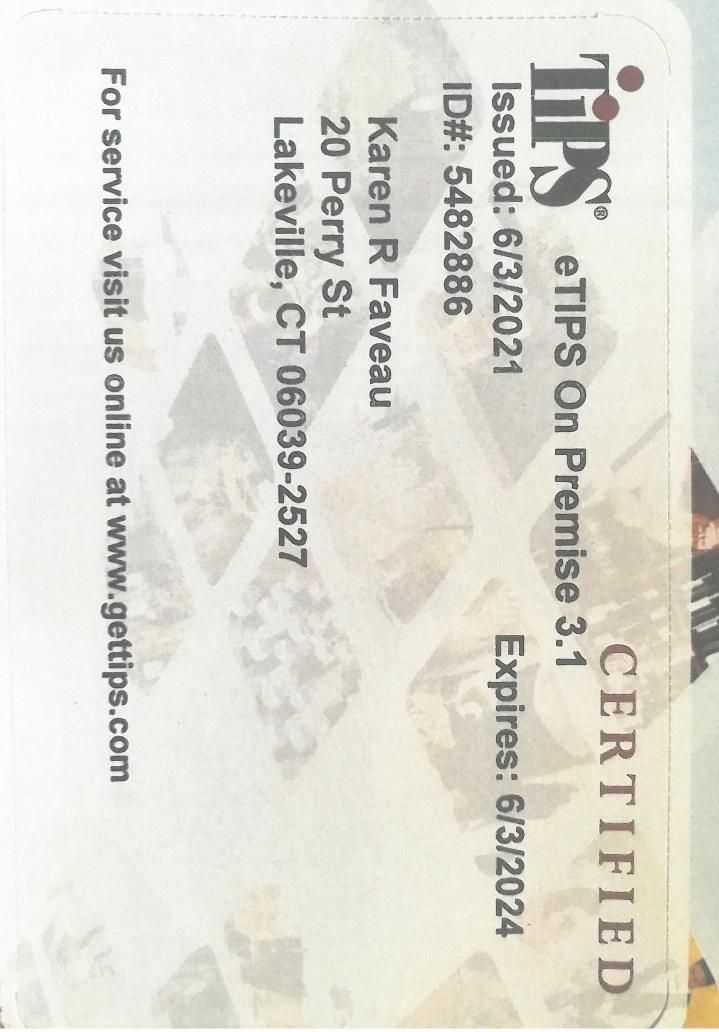
Certification to be sent to:

363 Sinpatch Rd Wassaic NY, 12592-2414 USA

T

HEALTH

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August 17, 2021

Appy Stookey

P.O Box 539

Great Barrington, MA 01230

To Whom this Concerns,

Berkshire South Regional Community Center gives Appy Stookey permission to have alcohol on our premises on September 25th, 2021. Contingent on the towns approval.

Sincerely, Molly Amstead

Community Outreach and Rentals Assistant Berkshire South Regional Community Center 413-528-2810 Ext. 32

> 15 Crissey Road Great Barrington, MA 01230 413.528.2810 berkshiresouth.org



INSURANCE BINDER

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MYL	,

ACORD	INSURANC	CE BINDER			1	M/DD/YYYY) 1/2021
THIS BINDER IS A TEMPOR	BJECT TO THE CONDITIONS SHOWN ON PAGE 2 OF THIS FORM.					
AGENCY Wheeler & Taylor, Inc 73 Main Street P.O. Box 336		COMPANY Mount Vernon Fi	BINDE	BINDER # 12980		
		DATE			DATE EXPIRATION TIME	
Sheffield, MA 01257		09/25/2021	12:01 X AM		7/2021	X 12:01 AM
PHONE (A/C, No, Ext): (413) 229-8064 CODE:	FAX (A/C, No): (413) 528-1008 SUB CODE:		SUED TO EXTEND COVERAGE IN LICY #: SE2006692	THE ABOVE	E NAMED COM	
AGENCY CUSTOMER ID: STOOKEJO01			ATIONS / VEHICLES / PROPERTY	(Including L	.ocation)	
INSURED AND MAILING ADDRESS Katherine Stookey PO Box 539 Great Barrington, MA 0)1230	Memorial Service fo	r John-celebration of life			

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	MORTGAGEE ADDITIONAL INSURED			
Berkshire South Community Center Chrissy Rd	LOAN #:			
Great Barrington, MA 01230	AUTHORIZED REPRESENTATIVE			

CONDITIONS

This Company binds the kind(s) of insurance stipulated on page 1 of this form. The Insurance is subject to the terms, conditions and limitations of the policy(ies) in current use by the Company.

This binder may be cancelled by the Insured by surrender of this binder or by written notice to the Company stating when cancellation will be effective. This binder may be cancelled by the Company by notice to the Insured in accordance with the policy conditions. This binder is cancelled when replaced by a policy. If this binder is not replaced by a policy, the Company is entitled to charge a premium for the binder according to the Rules and Rates in use by the Company.

Applicable in Arizona

Binders are effective for no more than ninety (90) days.

Applicable in California

When this form is used to provide insurance in the amount of one million dollars (\$1,000,000) or more, the title of the form is changed from "Insurance Binder" to "Cover Note".

Applicable in Colorado

With respect to binders issued to renters of residential premises, home owners, condo unit owners and mobile home owners, the insurer has thirty (30) business days, commencing from the effective date of coverage, to evaluate the issuance of the insurance policy.

Applicable in Delaware

The mortgagee or Obligee of any mortgage or other instrument given for the purpose of creating a lien on real property shall accept as evidence of insurance a written binder issued by an authorized insurer or its agent if the binder includes or is accompanied by: the name and address of the borrower; the name and address of the lender as loss payee; a description of the insured real property; a provision that the binder may not be canceled within the term of the binder unless the lender and the insured borrower receive written notice of the cancellation at least ten (10) days prior to the cancellation; except in the case of a renewal of a policy subsequent to the closing of the loan, a paid receipt of the full amount of the applicable premium, and the amount of insurance coverage.

Chapter 21 Title 25 Paragraph 2119

Applicable in Florida

Except for Auto Insurance coverage, no notice of cancellation or nonrenewal of a binder is required unless the duration of the binder exceeds 60 days. For auto insurance, the insurer must give 5 days prior notice, unless the binder is replaced by a policy or another binder in the same company.

Applicable in Maryland

The insurer has 45 business days, commencing from the effective date of coverage to confirm eligibility for coverage under the insurance policy.

Applicable in Michigan

The policy may be cancelled at any time at the request of the insured.

Applicable in Nevada

Any person who refuses to accept a binder which provides coverage of less than \$1,000,000.00 when proof is required: (A) Shall be fined not more than \$500.00, and (B) is liable to the party presenting the binder as proof of insurance for actual damages sustained therefrom.

Applicable in Oklahoma

All policies shall expire at 12:01 a.m. standard time on the expiration date stated in the policy.

Applicable in Oregon

Binders are effective for no more than ninety (90) days. A binder extension or renewal beyond such 90 days would require the written approval by the Director of the Department of Consumer and Business Services.

Applicable in the Virgin Islands

This binder is effective for only ninety (90) days. Within thirty (30) days of receipt of this binder, you should request an insurance policy or certificate (if applicable) from your agent and/or insurance company.

PROCLAMATION

Celebrating National Hispanic Heritage Month

Town of Great Barrington, Massachusetts

- Whereas, The Town of Great Barrington joins the Nation in celebrating Hispanics who have made outstanding contributions to the United States of America; and
- Whereas, Since 1988, the United States has observed National Hispanic Heritage Month, commemorating the independence of Chile, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, and Nicaragua from September 15 through October 15; and
- Whereas, Hispanics in the United States have helped establish America as a place of freedom and opportunity, and their contributions such as; serving in the army, providing medicine, providing architecture styles, improving economic life, and by providing food continue to enrich our Nation's character; and
- Whereas, America's cultural diversity and optimism for a brighter future has always been one of our nation's greatest strengths; and
- Whereas, Together we recognize the Community of Hispanics in Great Barrington, whose love of family, strong work ethic, and sense of community have helped unite us all.

Now, therefore be it resolved that the Selectboard of the Town of Great Barrington, do hereby encourage the citizens of Berkshire County to join us in celebrating National Hispanic Heritage Month.

IN WITNESS THEREOF, We have hereunto set on this 13th day of September, 2021

Selectboard 9/13/21

SP # 923 - 21 198 Main Sr

Travis Derr Larkin LTD. Enterprises, LLC. 974 Main St STE 1 Great Barrington, MA 01230 P: 413.528.8908 Email: TravisD@Larkinltd.com

Hello, I am applying for a special permit on behalf of Mr. Joffe. He had asked us to pursue permit options for this sign after its construction. The regulations that I will discuss are not a reflection of our work. Regardless of the decision that you make, Larkin LTD will respect it.

This is specifically for the tenant directory sign on 198 main st, *The Flying Church*. Mr. Joffe has stated that in regards to this property Ed May is not supposed to be involved, if he is then it will be a legal issue. The sign was previously approved when it was submitted with the building plans. Regardless of what information that it ended up with, it still got approved. This is Mr. Joffe's main point of contention with this project.

Within Part II of general Legislation Chapter 146. In regards to SS146-4 C. For freestanding Signs and their placement from a traveled way.

This is a freestanding sign that is 8 ft from the traveled way. The Regulation states no freestanding sign should be within 10 feet of a traveled way. Because of the initial approval included with the building we would like to seek relief for not meeting that constraint. The sign itself is 7.5' tall and fits the range of appropriate height and clearance from the grade. The immediate area in front of the sign where previous parking has been changed, the parking spots are painted out with white caution lines and are not for use.

We think that the reasoning above is enough justification to warrant applying for a special permit. With this letter you will find an abutters list that should go with the previously dropped off Special Permit Application.

Sincerely, Travis Derr

		TOWN CLERK
		GREAT BARRINGTON
TOWN OF GREAT BARRINGTON Application for a Special Permit to the Board of Selectmen or Planning Board	FORM SP-1 REV. 12-2020	SEP 3 2021 AM11:50
FOR OFFICE USE ONLY Number Assigned?2_3 - 2_i Date Received?2_/2_i Special Permit Granting Authority?2 $\frac{?/3}{?2_1}$ Copy to Recommending Boards??2_i Advertised?/2_i Advertised?/2_i $\frac{?/2}{!2_3}$ Public Hearing??4 $\frac{?/?2_1}{!4_5}$ Fee: \$300.00 Paid: $\frac{?/?2_1}{!4_5}$	APPLICATION FOR SPECIAL PERMIT UNDER TOWN ZONING BYLAWS FOR TOWN OF GREAT BARRINGTON, MASSACHUSETTS	
MAP LOT BOOK PAGE Site Address: 198 MAIN ST.	zoning district(s) B-2, V	′⊂oD
Date of Application $\frac{9/\frac{4}{5}/21}{2}$ Applicant's name and complete mailing address $\boxed{C-B}$	HISTORIL PRESERVAT	ion ile
Applicant's phone number (917) 193 · 3292 Applicant'	s email address: PAUL @ FLYI	NGC HUICH
Name and Address of Owner of land exactly as it appears on n	nost recent tax bill:	
(1) HISTORIC PRESERVATI	ON LLC	
390 TAMARIDGE WAY	New MARLBOIDJO	H 01230
I (we) request a Special Permit for: <u>An Existing</u> F		
Under Section(s) and 10.4	_ of the Great Barrington Zoning Bylaws	

APPLICANTS MUST READ AND COMPLY WITH THE FOLLOWING:

One Signed Original application with each of the items below, as applicable, fourteen (14) exact copies of the entire package, and one electronic PDF, are to be submitted. Applications must include:

- 1. Completed application form, including signatures.
- Brief written description of how the project is in harmony with the Great Barrington Master Plan. (Copies of the Master Plan are available for free download from the Town website. Hard copies can be read at the Clerk's office or the Town libraries.)
- 3. Site Plan, drawn to scale, applicable to the site and the proposed use of said site for which this special permit is requested.
- 4. Any other specifications necessary to further describe the site or proposed use for which a special permit is requested. At least one copy of any maps being submitted shall be no larger than 11" X 17". Plans should show all existing and proposed structures, property lines and dimensions, driveways, walkways and parking areas. All proposed landscaping, parking, loading, and similar improvements must be in compliance with the applicable sections of the Zoning Bylaw.
- 5. Certified list of abutters within 300 feet on the Assessors Maps to the subject property, including map and lot number. List must be obtained from the Assessors' Office.

FORM SP-1 REV. 12-2020

- 6. Zoning Map designating the zoning district(s) and location for the area for which a special permit is requested, plus a USGS map enlarged and showing the site location within the Town.
- 7. Drainage Plan indicating the destination of all runoff from the property. In the event of substantial increase in impervious surfaces, the SPGA may require calculations or expert analysis of the plan.
- 8. Landscaping Plan drawn to scale and showing existing and proposed landscaping.
- 9. If applicant and owner are different, a letter signed by the owner of the property authorizing the applicant to apply for the special permit.

SPECIFICS:

- 1. All site plans and specifications must be signed and dated by the preparer.
- 2. ALL OWNERS of property must also sign the application.
- 3. A copy of special permit procedures is available upon request.
- 4. Fee for application is \$300.00 to cover the cost of the public hearing notices in the newspaper and notification to parties in interest.
- 5. Once all the necessary papers, maps, etc. are compiled into the required Original and Fourteen sets, call the Town Planner's office at 413-528-1619 ext. 7 to arrange an appointment to file your application. The application will be reviewed for completeness and a date for a public hearing before the Board of Selectmen or Planning Board will be scheduled. Meetings of recommending boards (e.g. Planning Board, Conservation Commission and Board of Health) will also be arranged at this time.

Signature of Applicant

Signature of Co-Applicant (e.g. Property Owner, if different)

PLEASE READ AND SIGN BELOW

ALL COSTS INCURRED BY THE TOWN FOR THE EMPLOYMENT OF EXPERTS OR CONSULTANTS REQUIRED BY ANY TOWN BOARD, AND APPROVED BY THE BOARD OF SELECTMEN, FOR THE PURPOSE OF ANALYZING OR EVALUATING ANY PROJECT THAT IS A SUBJECT OF A SPECIAL PERMIT APPLICATION SHALL BE ASSESSED TO THE APPLICANT AND SHALL CONSTITUTE PART OF THE APPLICATION FEE. A COPY OF THIS REGULATION SHALL BE PROVIDED TO THE APPLICANT IF REQUESTED.

I have read the above regulation and agree to be bound by it.

Signature

Signature of Co-Applicant (e.g. Property Owner) _

Date

Bruce Firger, Assessor John Katz, Assessor Ross A.Vivori, MAA, Principal Assessor E-mail: rvivori@townofgb.org

Carol Strommer Administrative Assessor E-mail: cstrommer@townofgb.org



Town Hall, 334 Main Street Great Barrington, MA 01230

Telephone: (413) 528-1619 x 3 Fax: (413) 528-1026

TOWN OF GREAT BARRINGTON MASSACHUSETTS BOARD OF ASSESSORS

June 16, 2021

ABUTTERS TO PROPERTY OF: GB HISTORIC PRESERVATION LLC 198 Main Street, Map 14 Lot 190, Book 2238 Page 54

MAP L	OT ABUTTER
	96 DBC Properties LLC, c/o Donald Sagliano,1282 Dutchess Turnpike, Poughkeepsie, NY 12603-1175
14 194,191/	173B Aaron & Caroline Becker, PO Box 88, South Egremont, MA 01258-0088
	3A The Granary LLC, PO Box 250, Mill River, MA 01244-0250
14 223,2	
	92 Gregory K. & Sharon D. Stewart, 23 Rosseter St., Gt. Barrington, MA 01230-1522
14 U5 1	79 4S Realty LLC, 168 Main St. #5, Gt. Barrington, MA 01230-1755
14 U1,2,3,4 1	79 BKL Realty LIC, 670 Boardman St., Sheffield, MA 01257-9516
14 219,3	, , , , , , , , , , , , , , , , , , , ,
	95 Macedonia Baptist Church, PO Box 505, Gt. Barrington, MA 01230-0505
14 226,2	Gerald A. Denmark, Trustee, c/o Walgreen Co., PO Box 1159, Deerfield, IL 60015-6002
14 183,180,1	81 Firth-Schwartz LLC, PO Box 367, Monterey, MA 01245-0367
14 1	86 Estate of Willie Smith, c/o Bernice Washington, 360 Mill St., Batesburg, SC 29006-1616
14 262,26	
14 2	04 United States Post Office, 222 Main St., Gt. Barrington, MA 01230-1601
14 2	25 Tara Cafiero, 59 New St., Sharon, CT 06069-2078
14 191,7	3C Laurence Gadd & Amy Gallagher, Trustees, 27 Rosseter St., Gt. Barrington, MA 01230-1522
14 1	84A Neil & Jane Berger, 83 Brush Hill Rd., Gt. Barrington, MA 01230-1519
14 2	00 Francis Oneil, 18 Elm Ct., Gt. Barrington, MA 01230-1519
14 2	Roman Catholic Bishop of Springfield, PO Box 1730, Springfield, MA 01103-1730
14 203,2	12 Berkshire Bank, Att: Peter Merwin, 24 North St., Pittsfield, MA 01201-5106
14 1	99 Navaporn Zivasatianrach, 201 Grove St., Northampton, MA 01060-3607
14 221,220,2	222,218 Milka Elezovska, 56 Ore Hill Rd., Lakeville, CT 06039-1333
	93 Sylvia Conway-Keefner & Mattie C. Conway, 19 Rosseter St., Gt. Barrington, MA 01230-1522
14 2	13 Masonic Temple Association, PO Box 131, Gt. Barrington, MA 01230-0131
14 188,1	
	259 Carla Brown Collins & Ruairi Donaghy Collins, 39 Alston St., Somerville, MA 02143-2101
14 2	61 Peter Schulte, 12 Cottage St., Gt. Barrington, MA 01230-1302
14 1	77 Joshua Cohn Consulting LLC, 10 King Lane #D, Brewster, NY 10509-2246
14 1	74 E. Caligari & Son Inc., 85 Main St., Gt. Barrington, MA 01230-1307
	98 Gillian Gorman Rabin, PO Box 278, West Stockbridge, MA 01266-0278
	05 Clinton Church Restoration Inc., PO Box 1075, Gt. Barrington, MA 01230-6075
	85 James E. Kimball III, 670 Boardman St., Sheffield, MA 01257-9516
	82 Kimada Realty LLC, 168 Main St. #3, Gt. Barrington, MA 01230-1755
14 237,194A,	202,201 Town of Great Barrington, 344 Main St. Room 208, Gt. Barrington, MA 01230-1832

The above list of abutters to the subject is correct according to the latest records of this office.

Sincerely, Ross Vivori, Principal Assessor



