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## TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

### SELECTBOARD AND ZONING BOARD OF APPEALS JOINT MEETING AGENDA

WEDNESDAY, AUGUST 12, 2020; 6:00 pm, Via Zoom

**6:00 PM** – REGULAR SESSION

EXECUTIVE SESSION IMMEDIATELY FOLLOWING

LOCATION: ZOOM VIDEO

TOWN HALL, 334 MAIN STREET

ORDER OF AGENDA

Please click the link below to Join Zoom Meeting

<https://us02web.zoom.us/j/86913253757?pwd=bDQ3UmVpMEIxMjNBNmovZ2VpRnlOU09>

Meeting ID: 869 1325 3757

Passcode: 372207

+13126266799,,86913253757# US (Chicago) 19292056099,,86913253757# US

+(New York)

Dial by your location

+1 929 205 6099 US (New York)

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 March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Great Barrington Selectboard and the Zoning Board of Appeals 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](http://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. In the event that we are unable to do so, despite best efforts, we will post on the town's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

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

**6:00 PM - OPEN MEETING**

**1. CALL TO ORDER:**

**6:00 pm** Open Session

**2. Citizen Speak.**

**CONVENE INTO EXECUTIVE SESSION and Not to Return to Open Session, Via Zoom,** Executive Session, under MGL c.30A, §21(a)(3) to discuss litigation strategy relating to pending litigation relating to 11 Roger Road known as: GJO, LLC v. Ronald Majdalany et al., Zoning Board of Appeals and Town of Great Barrington et al., Land Court Docket No. 18MISC 000240 (KCL), 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.

**Selectboard Chair's Declaration:**

I declare, under MG.L. c.30A, §21(a)(3) and (6), that the purpose of the executive session will be to discuss litigation strategy regarding pending litigation concerning 11 Roger Road known as: (1) Belanger v. Zoning Board of Appeals, Berkshire Superior Court, C.A. No. 1876CV00134; and (2) GJO, LLC v. Zoning Board of Appeals, et al., Land Court Docket No. 18MISC000240; (3) GJO, LLC v. Ronald Majdalany et al, Land Court Docket No. 18MISC 000240 (KCL); and (4) Town of Great Barrington v. GJO, LLC, So. Berkshire District Court Docket No. 1829C11000008 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)and (6) 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 (SB):**

**ZBA Chair's Declaration:**

I declare, under MG.L. c.30A, §21(a)(3) and (6), that the purpose of the executive session will be to discuss litigation strategy regarding pending litigation concerning 11 Roger Road known as: (1) Belanger v. Zoning Board of Appeals, Berkshire Superior Court, C.A. No. 1876CV00134; and (2) GJO, LLC v. Zoning Board of Appeals, et al., Land Court Docket No. 18MISC000240; (3) GJO, LLC v. Ronald Majdalany et al, Land Court Docket No. 18MISC 000240 (KCL); and (4) Town of Great Barrington v. GJO, LLC, So. Berkshire District Court Docket No. 1829C11000008 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 Zoning Board of Appeals go into executive session under M.G.L. c.30A, §21(a)(3)and (6) 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 (ZBA):**

**Adjournment:**