Selectboard Meeting via Zoom and in person at 334 Main Street Great Barrington MA  
Tuesday, August 29, 2023

1. Call to Order Selectboard Special Meeting - Chairman Bannon opened the meeting at 6:00pm with Selectboard members: Steve Bannon, Leigh Davis, Ben Elliott, Eric Gabriel, Garfield Reed present. Also in attendance: Town Manager Mark Pruhenski

2. Open Meeting Law Complaint and Response
   M. Pruhenski stated an Open Meeting Law complaint was received on August 16 and it is in the packet along with a draft response. He noted the Selectboard minutes have been posted to the Town website and if the Selectboard approves, he will send the response to Jonathan Hankin and the Attorney General’s Office. L. Davis made a motion to approve the draft letter; E. Gabriel seconded. S. Bannon asked for any discussion – there was none. All in favor: 5-0.

3. Public Input Session for the Proposed Real Estate Transfer Fee
   a. L. Davis stated she filed a Disclosure Form for an Appearance of a Conflict of Interest with the Town Clerk on August 24, 2023.
   b. S. Bannon stated the purpose of the meeting is to listen to public input on the proposed Real Estate Transfer Fee that was originally proposed by the Selectboard-Planning Board Housing Subcommittee and sent to the Selectboard for its consideration. He noted the scope of the proposal has been narrowed, but the Selectboard had not voted to endorse it before hearing public comment. He added that if the Selectboard does endorse it, it will go to Town Meeting for a vote. He stated ground rules that citizens may speak once for up to three minutes and added the definition of a citizen is a primary resident in GB or Housatonic, a homeowner or renter in GB or Housatonic, a property owner or a business operator with a base of operations in GB or Housatonic. He added that tonight the Selectboard will listen, but not discuss the proposal - citizens can ask questions about the process which the Selectboard will try to answer, but any other questions about the proposal will be considered rhetorical - and comments will be under advisement until the Selectboard’s discussion. He stated the Real Estate Transfer Fee will be discussed and voted on at the September 18 meeting. He noted there will be two possible votes at that meeting – to endorse or reject the proposal. If the Selectboard does endorse the proposal at that meeting it will decide if it will appear on the warrant of the Special Town Meeting scheduled for October or the Annual Town Meeting in May.
   c. M. Pruhenski provided background and noted the intention to hear feedback from residents. He noted the Housing Subcommittee goal for this proposal is to generate revenue to get more affordable housing stock via a 1% transfer fee at and above $1m for residential, land, commercial and industrial sales – and the Fee will be split between the buyer and seller. He added that transfers between family members and affordable housing is exempt. He continued to state revenue would go to the Affordable Housing Trust Fund and managed by the seven member Board appointed by the Selectboard. He noted that based on 2022 sales of 14 properties, if a 1% fee was imposed, $209,000 in revenue would have been generated. He added the Selectboard would deliberate at another date on whether to bring the proposal forward to the Special Town Meeting and if approved the matter would ultimately require a special act of the state legislature.
   d. S. Bannon opened the discussion
      • Carol Bosco Baumann, Housatonic and the Executive Director of the CDC Southern Berkshire, read a statement from the organization expressing support for the proposal which would benefit the community and provide a new funding source for affordable housing free of state restrictions.
Fred Clark, Chair Affordable Housing Trust Fund, stated the Fund has successfully leveraged CPA funds, but additional funds are needed due to increased real estate prices. He noted that without affordable housing the Town will lose key workers important to a vibrant community. He noted the overwhelming response to affordable housing opportunities.

Charlie Wiliamson, 48 Blue Hill Road, expressed concerns about imposing another tax creating a heavier burden on homeowners/taxpayers. He added GB affordable housing is going to people outside the local area.

Michelle Loubert, 70 Division Street, stated it is important to have transparent data on the number of local people placed in affordable housing and that there are other community issues such as Housatonic water that need attention. She expressed support for affordable housing, but noted the fee has the potential to push families out of the community due to high taxes. She added that CPA is for affordable housing and residents are already being taxed.

Vivian Orlowski, Lakeview Road, stated the Transfer Fee ignores income level and a seller’s home may be their only financial lifeline especially if there is a reverse mortgage, outstanding loans or other expenses. She noted over time home prices will increase and potentially many people will be impacted by this fee. She also suggested perhaps a larger portion of CPC funds be allocated to housing.

Eric Steuernagle, Lond Pond Road, stated CPA revenue has significantly supported affordable housing development noted $2.4m in CPA funds were invested and leveraged to get $13m in additional state and federal funding. He urged that more CPA funds be directed to affordable housing and noted no other municipality is using a transfer fee to fund housing. He also noted the Fee will cause prospective home buyers to look to other towns.

James Garzon, 84 North Plain Road, stated he is opposed to the transfer fee and suggested a greater percentage of CPA funds should be used for affordable housing. He stated no additional taxes should be imposed.

David Unger, 38 Silver Street, stated other funds should be identified to fund housing and that $200,000 will not make a significant impact on those needing housing or support. He added that wealthy residents can help by contributing to housing organizations and that the transfer fee devalues the Town.

Richard Stanley, South Egremont, stated CPA has been instrumental in initiating projects and leveraging other funds - and additional funds generated by a transfer fee can help further housing initiatives that are important to the Town’s economy.

Phil Orenstein, 4 Alford Road, stated his support for the objective of providing more affordable housing, but objected to the transfer fee as GB taxes already exceed those of neighboring towns and the fee will stifle new growth which is of more value to the Town. He encouraged the approval of a larger allocation of CPA funds to affordable housing and noted that sellers already pay a state tax on home sales.

C. Williamson stated residents are over taxed in GB and the transfer fee penalizes property owners that have preserved and invested in their homes which have increased in value.

Nan Wile, Main Street, asked for a response to her letter to the Town. She stated support for the reapportioning of CPA funds and encouraged this proposal be brought to the October Special Town Meeting.

Joseph Method, 9 Mountain View Ave, stated he serves on the Affordable Housing Trust and noted there are not enough funds for projects due to the need and demand for housing and he expressed support for additional funds to be allocated from CPA funds.
• Bobby Houston, 25 Hubbard Street, stated GB is a high tax town and cautioned about the optics of imposing a transfer fee which may drive away prospective home buyers.
• Ed Abrahams stated this proposal should not be brought to the October Town Meeting as that should be reserved for the school merger as that is a lot of information to cover and a more significant decision.
• Anne O’Dwyer stated the school merger should be the sole focus of the October Town Meeting.

S. Bannon stated there were 16 in person and 29 virtual attendees at the meeting.

4. Citizen Speak Time
   a. M. Loubert stated the school merger is complex and should be the only topic for the October Town Meeting. She also expressed concerns about fire hydrants not being operational and asked that the matter be discussed at a Selectboard meeting - S. Bannon replied it will be discussed. She also stated concerns about significant traffic and heavy vehicles on Division Street crossing the bridge and the odor from marijuana fields on Route 7.
   b. Jonathan Hankin stated the transfer fee creates divisions in the community and noted how affluent residents contribute to the Town. He stated if more affordable housing is a primary objective additional CPA funds should be allocated. In addition, he stated that a transfer fee would adversely impact property values and lead to higher taxes overall. He also noted the fee would be a significant burden for those who are in strained financial circumstances, limit building new housing and potentially result in increased rents and less private investment in the community.

6. Media Time – No media asked to speak.

7. Adjournment - Chairman Bannon adjourned the meeting by unanimous consent at 6:57pm.

Respectfully submitted,

Stacy Ostrow, Recording Clerk