

**Town of Great Barrington
2013 Annual Town Meeting**

WARRANT

with Recommendations
by the Finance Committee
and the Board of Selectmen

Monday, May 6, 2013



BOARD OF SELECTMEN

Sean Stanton, Chairman
Deborah Phillips
Andrew D. Blechman
Stephen C. Bannon
Alana Chernila

FINANCE COMMITTEE

Thomas Blauvelt, Chairman
Mark Lefenfeld
Andrew Moro
Sharon Gregory
Walter F. Atwood, III

(www.townofgb.org)

TOWN OF GREAT BARRINGTON
2013 ANNUAL TOWN MEETING, MAY 6, 2013

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TOWN OF GREAT BARRINGTON

WARRANT

ANNUAL TOWN ELECTION
ANNUAL TOWN MEETING

2013

COMMONWEALTH OF MASSACHUSETTS

BERKSHIRE, SS

To William Walsh, Chief of Police of the Town of Great Barrington, in said Berkshire County,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said town to meet at the Great Barrington Fire Station in the Town of Great Barrington in Precinct A for Precincts A, C, and D, and at the Housatonic Community Center Building in the Village of Housatonic, in Precinct B, for Precinct B on Monday, May 13, 2013 at 8:00 A.M. until 8:00 P.M. for the following purposes, viz.; to elect:

MODERATOR, ONE FOR ONE YEAR
BOARD OF SELECTMEN, TWO FOR THREE YEARS
BOARD OF HEALTH, ONE FOR THREE YEARS
FINANCE COMMITTEE, TWO FOR THREE YEARS
LIBRARY TRUSTEES, TWO FOR THREE YEARS
PLANNING BOARD, TWO FOR THREE YEARS
ZONING BOARD OF APPEALS, ONE FOR THREE YEARS
HOUSING AUTHORITY, TWO FOR FIVE YEARS

BALLOT QUESTION: Shall the Town of Great Barrington be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to pay costs of purchasing and equipping a new fire truck, and for the payment of all other costs incidental and related thereto?

BALLOT QUESTION: Shall the Town of Great Barrington be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to pay costs of remodeling, reconstructing and making extraordinary repairs to the Dewey School Building and property, and for the payment of all other costs incidental and related thereto?

The above named officers and ballot questions will be voted for on official ballots prepared by the Town Clerk.

You are also required to notify and warn the inhabitants of said town, qualified to vote in town affairs, to meet at the Mahaiwe Theater, 14 Castle Street in Great Barrington on Monday, May 6TH, 2013, at 6:00 P.M., then and there to act on the following:

ARTICLE 1:

To see if the Town will vote to authorize the use of revolving funds for the following programs and purposes:

- a. Plumbing Inspector (\$15,000.)
- b. Wire Inspector (\$20,000.)
- c. Gas Inspector (\$15,000.)
- d. Town Code Printing (\$10,000.)
- e. Parks Commission (\$5,000.)
- f. Recycling/Green Product Sales (\$5,000.)
- g. Cemetery (\$5,000.)
- h. Fire Inspectors (\$5,000)

which revolving funds together shall not exceed the sum of Eighty Thousand Dollars (\$80,000.00), which shall be under the control of the Town Treasurer, which shall be accounted for separately and to which shall be credited only the departmental receipts received in connection with the programs supported by each revolving fund; further to authorize the Town Treasurer to expend from such funds in accordance with Chapter 44, §53 E 1/2 of the General Laws, provided however that said expenditures for all revolving funds shall not exceed the receipts for such funds; or to take any other action relative thereto.

Recommended by the Finance Committee and Board of Selectmen

ARTICLE 2:

To see if the Town will vote to fix the salaries of all elected officials for the period of July 1, 2013 to June 30, 2014 as indicated below:

<u>Elected Officials Salaries:</u>	
Selectmen:	\$7,500.00

Not Recommended by the Finance Committee

Recommended by the Board of Selectmen

ARTICLE 3:

To see if the Town will vote to accept any and all funds being provided by the Commonwealth of Massachusetts Division of Transportation (Mass DOT), under the provisions of Chapter 90 of the General Laws, to pay for such costs as allowed by appropriate legislation in connection with the maintenance, repair, and construction of Town ways and bridges, or to take any other action relative thereto.

Recommended by the Finance Committee and Board of Selectmen

ARTICLE 4:

To see if the Town will vote to appropriate \$851,600, or any other sum of money, in the following approximate amounts and for the following purposes:

Road Improvements/Sidewalks/Drainage	\$ 500,000
Town Building Improvements	84,500
Police Cruisers (2)	67,100
Sidewalk plow/Sander	110,000
Dump Truck (1)	<u>90,000</u>
Total	\$ 851,600

And for the payment of all other costs incidental and related thereto, and to determine whether this appropriation shall be raised by taxation, transferred from available funds, borrowing or otherwise; or to take any other action relative thereto.

Recommended by the Finance Committee and Board of Selectmen

ARTICLE 5:

To see if the Town will vote to appropriate \$473,500, or any other sum, for the following General Fund Capital Items and to determine whether this amount shall be raised by taxation, transferred from available funds or otherwise:

	Amount
	requested
Assessors	
Software	20,000.00
Total	20,000.00
Public Works	
Remediation of current/former properties -	385,000.00
Castle Street fire station; Searles-Bryant complex	
Mower	13,500.00
Total	398,500.00
Fire Department	
Engine Repairs	20,000.00
Total	20,000.00
Parks	
Improvements	35,000.00
Total	35,000.00
Total Capital-General Fund	473,500.00

Recommended by the Finance Committee and Board of Selectmen

ARTICLE 6:

To see if the Town will vote to appropriate \$1,100,000, or any other sum of money, to pay the costs of purchasing and equipping a new fire truck, and for payment of all other costs

incidental and related thereto, and to determine whether this appropriation shall be raised by taxation, transfer from available funds, borrowing or otherwise; or to take any other action relative thereto.

Recommended by the Board of Selectmen and the Finance Committee

ARTICLE 7:

To see if the Town will vote to raise and appropriate or transfer from available funds such sums of money necessary for the operation of the several departments in the Town for the ensuing year as detailed in the FY14 Annual Budget for the General Fund, or to take any other action relative thereto.

Recommended by the Finance Committee and Board of Selectmen

ARTICLE 8:

To see if the Town will vote to appropriate \$800,000, or any other sum of money, to pay the costs of remodeling, reconstructing and making extraordinary repairs to the Dewey School Building and property, including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise, or take any other action relative thereto.

Recommended by the Board of Selectmen and the Finance Committee

ARTICLE 9:

To see if the Town will vote to appropriate from the receipts of the Wastewater Treatment Plant such sums of money necessary for the operation of the Sewer Division for the ensuing year as detailed in the FY14 Annual Budget for the Sewer Fund, or to take any other action relative thereto.

Recommended by the Finance Committee and Board of Selectmen

ARTICLE 10:

To see if the Town will vote to appropriate and transfer the sum of \$3,999.50, being the unexpended balance of the amount appropriated under Article 5 of the warrant for the 2012 Annual Town Meeting for building repairs at the Senior Center, for deposit into the Senior Center gifts and donations account; or to take any other action relative thereto.

Recommended by the Finance Committee and Board of Selectmen

ARTICLE 11:

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of Eleven Million, Five Hundred and Six Thousand, Nine Hundred Sixty Two Dollars (\$11,506,962.00) for the operating assessment, and Five Hundred Forty Six Thousand Seventy Seven Dollars (\$546,077.00) for the capital assessment, for a total assessment of Twelve Million, Fifty Three Thousand, Thirty Nine Dollars (\$12,053,039.00) of the Berkshire Hills Regional School District, or take any other action relative thereto.

ARTICLE 12:

To see if the Town will vote to authorize the use of the Pension Reserve Fund to reduce the FY14 appropriation required under Chapter 32 of the General Laws for the Berkshire Regional Retirement System, or to take any other action relative thereto.

Recommended by the Finance Committee and Board of Selectmen

ARTICLE 13:

To see if the Town will vote to authorize the use of Free Cash to reduce the tax levy for Fiscal Year 2014 the current year, or to take any other action relative thereto.

Recommended by the Finance Committee and Board of Selectmen

ARTICLE 14:

To see if the Town will vote to amend **Subsection 81-5.B of the Town Code, Impounding, release and disposition of animals**, by decreasing the holding period for impounded animals from 10 days to 7 days, so that the subsection reads as follows:

B. No later than two days after the impounding of any animal, the owner or keeper shall be notified, or if the owner or keeper of the animal is unknown, or, after reasonable efforts, is not contacted, written notice shall then be posted for **10** consecutive days to **7** consecutive days in the location for posting noticed in the Town Hall, which notice shall describe the animal and the place and time of taking. Animals impounded and unclaimed by the owner or keeper after such ten-day period shall be disposed of in accordance with the provisions of MGL c.140, sec. 151A. Prior to the end of said ten-day period, the owner or keeper may obtain the release of such dog or other animal upon the payment of all pound fees, fines and notification costs, if any; and in the case of a violation of §81-5.A(1) of this section, upon obtaining a license as required by law.

ARTICLE 15:

To see if the Town will vote to amend the Sign Bylaw, Chapter 146 of the Code of Great Barrington, subsection 146-6.11, by increasing the number of temporary signs permitted per event from 6 to 14, and by increasing the time period for advance placement of temporary signs from 24 hours prior to the event to 14 days prior to the event, as follows, or take any other action relative thereto.

146-6. Signs Allowed in Specified Districts Requiring a Permit from the Building Inspector, But with No Payment of a Fee. The following signs are allowed in all districts (except as noted) with a permit from the Building Inspector, with no fee or posting of a bond required, provided that the sign meets all other requirements of this Bylaw.

146-6.11

Temporary Signs for Temporary Events. Temporary signs for temporary events are permitted. Each temporary event may display only up to **fourteen (14) temporary signs per event**. No temporary sign may be more than 9 square feet in area. Temporary signs may be erected not more than **fourteen days** prior to the event and must be removed not later not later than 24 hours after the event. Temporary signs may be placed in an off premises location only if the permit application includes a letter from the property owner granting permission for the temporary sign, or, in the case of a location within a road right-of-way, a letter from the Department of Public Works or the Massachusetts Department of Transportation granting permission for the temporary sign. Temporary signs shall be

properly secured to prevent becoming a hazard to pedestrians or property. Temporary signs shall comply with all regulations of the Department of Public Works and the Historic District where applicable. If temporary events are to be held on a regular, recurring schedule over the course of a season, one permit application may be filed to cover each occurrence, provided all event dates are listed, and provided that the permit may be revoked for future events in the case of noncompliance.

ARTICLE 16:

To see if the Town will vote to adopt a Community Preservation Bylaw, as follows, and add it to the Town Code as a new chapter, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE BYLAW PURSUANT TO MGL 44B

Section 1: Establishment

There is hereby established a Community Preservation Committee, consisting of nine (9) voting members pursuant to MGL Chapter 44B. The composition of the committee, the appointment authority and the term of office for the committee members shall be as follows:

- a. One member of the Conservation Commission as designated by the Commission
- b. One member of the Historical Commission as designated by the Commission
- c. One member of the Park Commission as designated by the Commission
- d. One member of the Housing Authority Board as designated by its Board of Directors
- e. One member of the Planning Board as designated by the Planning Board
- f. One member of the Select Board as designated by the Select Board
- g. Three citizen members at-large, who do not hold elected or appointed office, nor serve as Town employees, as designated by the Select Board

Each member of the Community Preservation Committee shall serve for a term of three years or until the person no longer serves in the position or on the board or commission as set forth above, whichever is earlier. Any vacancy on the Committee shall be filled by the commission or board that designated the member who creates the vacancy, by designating another member in accordance with the above provisions for the unexpired term.

Should any of the commissions or boards who have appointment authority under this Chapter be no longer in existence for whatever reason, the appointment authority for that commission or board shall become the responsibility of the Select Board.

Section 2: Duties

1. The Community Preservation Committee shall study the needs, possibilities and resources of the Town regarding community preservation, including the consideration of regional projects for community preservation. The committee shall consult with existing municipal boards, including the Select Board, the Conservation Commission,

the Historical Commission, the Planning Board, the Park Commission and the Housing Authority, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the committee shall hold one or more public informational hearings on the needs, possibilities and resources of the Town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the Town. The committee may, after proper appropriation, incur expenses as permitted by state law using funds from the Community Preservation Fund to pay such expenses.

2. The Community Preservation Committee shall make recommendations to Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space and community housing that is acquired or created as provided for in this Chapter. With respect to community housing, the Community Preservation Committee shall recommend, whenever possible, the reuse of existing buildings or construction of new buildings on previously developed sites. With respect to recreational use, the acquisition of artificial turf for athletic fields shall be prohibited.
3. The Community Preservation Committee may include in its recommendations to the Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or recommend to set aside for later spending funds for general purposes that are consistent with community preservation.
4. In every fiscal year, the Community Preservation Committee must recommend either that the Town Meeting spend, or set aside for later spending, not less than 10% of the annual revenues in the Community Preservation Fund for each of the following categories: (a) open space and recreation, (b) historic resources; and (c) community housing.

Section 3: Requirement for a quorum and cost estimates

The Community Preservation Committee shall not meet or conduct business without the presence of a quorum and shall keep a written record of its proceedings. A majority of the members of the Community Preservation Committee shall constitute a quorum. The Community Preservation Committee shall approve its actions by majority vote. Recommendations to the Town Meeting shall include their anticipated costs.

Section 4: Amendments

The Community Preservation Committee shall, from time to time, review the administration of this Bylaw, making recommendations, as needed, for changes in the Bylaw and in administrative practice to improve the operations of the Community Preservation Committee. This Bylaw may be amended from time to time by a majority

vote of the Town Meeting, provided that the amendments are not in conflict with Chapter 44B of the Massachusetts General Laws.

Section 5: Severability

In case any section, paragraph or part of this Chapter is for any reason declared invalid or unconstitutional by any court of competent jurisdiction, every other section, paragraph or part shall continue in full force and effect.

Section 6: Effective Date

Following Town Meeting, this Chapter shall take effect immediately upon approval by the Attorney General of the Commonwealth. Each appointing authority shall have thirty days after approval by the Attorney General to make its initial appointments.

ARTICLE 17: (Community Preservation Surcharge Exemption)

To see if the Town will vote to accept, pursuant to Subsection 3(e) of Chapter 44B of the General Laws, otherwise known as the Massachusetts Community Preservation Act, to approve the following exemption from the surcharge on real property permitted by said Act: **\$100,000 of the value of each taxable parcel of class three, commercial property, and class four, industrial property as defined in section 2A of chapter 59 of the General Laws,** or to take any other action relative thereto.

ARTICLE 18:

To see if the Town will vote to adopt a new Property Maintenance Bylaw, to be incorporated into Code of the Town of Great Barrington as Chapter _____, as follows, or take any other action relative thereto.

PROPERTY MAINTENANCE

General: All yards and the exterior areas of a landowner's premises shall be maintained in a reasonably good, clean, safe and sanitary condition so as to protect and promote the health, safety, and welfare of the general public and the public interest in the preservation of property values within the Town. This requirement will not be construed so as to prevent the growing of food on private property.

Erosion Control and Drainage: All premises shall be maintained so as to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon. Water drained from the premises shall not be discharged in a manner that creates a public nuisance.

Exterior walls: All exterior walls of buildings and structures shall be maintained free from holes and breaks, and loose, missing or rotting materials; and all such walls and other exposed exterior surfaces shall be maintained so as to protect them from the elements and against decay or rust, by periodic application of weather coating materials, such as paint or similar surface treatment.

Roofs: Any and all repairs or replacements of roof coverings or roof surfaces shall utilize only roofing materials complying with the requirements of the applicable building code, and shall be installed in accordance with the manufacturer's installation requirements. Roof coverings must be maintained in place at all times, and roofs, roof coverings and flashing shall be maintained in a sound and tight state without defects that may admit rain or surface drainage water. Roof water shall not be discharged in a manner that will create a public nuisance.

ARTICLE 19: (Accept piece of land next to Stonybrook Cemetery)

To see if the Town will vote to accept a portion of the parcel of land located on Stony Brook Road adjacent to the Stonybrook Cemetery and shown as Lot 15 on Great Barrington Assessors' Map 36, said portion containing approximately 2,500 square feet, and to authorize the Board of Selectmen to execute all documents and take all actions necessary in connection therewith, or to take any other action relative thereto.

ARTICLE 20: (Easement over a portion of Lake View Road)

To see if the Town will vote to authorize the Board of Selectmen to acquire an easement in and over a portion of Lake View Road, in connection with the Castle Hill Avenue Drainage Improvements Project, containing approximately 400 square feet and shown as "Temporary Construction Easement" on a plan entitled "Castle Hill Avenue Drainage Improvements Project," dated October 2012, by Tighe & Bond, a copy of which is on file in the office of the Town Clerk; to appropriate a sum of money for such acquisition; and to authorize Board of Selectmen to execute all documents and take all actions necessary in connection therewith, or to take any other action relative thereto.

ARTICLE 21: (Eminent Domain Lake Mansfield Boat Launch)

To see if the Town will vote to authorize the Board of Selectmen to acquire, by purchase, eminent domain, or otherwise, a parcel of land located off of Lake Mansfield Road and at or adjacent to the Lake Mansfield Boat Launch, being shown as "N/F Rosamund Flower Vitale Book 230 Page 490" on a plan entitled "Plan of Land prepared for Town of Great Barrington Lake Mansfield Lake Mansfield Road Great Barrington, MA," by Foresight Land Services, dated March 31, 2010 and recorded with the Southern Berkshire District Registry of Deeds as Plat File P-142 on November 1, 2010, a copy of which is on file in the office of the Town Clerk; to appropriate a sum of money for such acquisition; and to authorize the Board of Selectmen to execute all documents and take all actions necessary in connection therewith, or to take any other action relative thereto.

ARTICLE 22:

To see if the Town will vote to accept G.L. c. 59, Section 5N, authorizing the Board of Selectmen to establish a program to allow Veterans who qualify for participation to volunteer to provide services to the Town in exchange for a reduction in the real property tax obligations of that veteran on the veteran's tax bills, in addition to any exemption or abatement to which that person is otherwise entitled, not to exceed \$1,000.00 and credit for such participation not to exceed the current minimum wage of the Commonwealth per hour for the services provided; and further to see if the Town will vote to adjust the exemption by

- 1) allowing an approved representative for persons physically unable to provide such services to the Town; or
 - 2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given year, rather than \$1,000.00;
- or take any other action relative thereto.

ARTICLE 23:

To see if the Town will vote to adopt the following Plastic Bag Reduction By-law, and to include this By-law as Chapter_____within the Town Code, or take any other action relative thereto:

PLASTIC BAG REDUCTION

SECTION 1 Purpose and Intent

The production and use of thin-film single-use plastic checkout bags have significant impacts on the environment, including, but not limited to: contributing to the potential death of marine animals through ingestion and entanglement; contributing to pollution of the land environment; creating a burden to solid waste collection and recycling facilities; clogging storm drainage systems; and requiring the use of millions of barrels of crude oil nationally for their manufacture.

The purpose of this Bylaw is to eliminate the usage of thin-film single-use plastic bags by all retail establishments in the Town of Great Barrington.

SECTION 2 Definitions

- 2.1 “Thin-film single-use plastic bags”, typically with plastic handles, are bags with a thickness of 2.5 mils or less and are intended for single-use transport of purchased products.
- 2.2 “ASTM standard” a testing standard developed by the American Society for Testing and Materials.
- 2.3 “Biodegradable bag” means a bag that: 1) contains no polymers derived from fossil fuels; and 2) is intended for single use and will decompose in a natural setting at a rate comparable to other biodegradable materials such as paper, leaves, and food waste.
- 2.4 “Reusable bag” means a bag, with handles, that is specifically designed for multiple use and is made of thick plastic, cloth, fabric or other durable materials.

SECTION 3 Use Regulations

- 3.1 Thin-film single-use plastic bags shall not be distributed, used, or sold for checkout or other purposes at any retail establishment within the Town of Great Barrington.
- 3.2 Customers are encouraged to bring their own reusable or biodegradable shopping bags to stores. Retail establishments may provide reusable or recyclable thick plastic, paper, fabric or other types of bags at no charge, or charge a fee for paper or other bags, as they so desire. Retail establishments are strongly encouraged to make reusable bags available for sale to customers at a reasonable price.
- 3.3 Thin-film plastic bags used to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items and other similar merchandise, typically without handles, are still permissible.

SECTION 4 Administration and Enforcement

- 4.1 The Board of Selectmen shall establish an application process and make determinations as to the classification of new single-use bag products, as they come on the market, to determine if they are compostable or biodegradable and meet, or exceed, ASTM D6400 for compostable plastic.
- 4.2 The Police Department will be responsible to enforce this by-law through the issuance of a violation notice. A violation notice may be reissued for each day that the activity persists until the violation is corrected.
- 4.3 For each day the violation is in effect, the following penalties shall apply: 1) \$50 per day for each day the violation persists; 2) \$100 per day for each day that a new violation occurs after the first violation; 3) \$200 per day for each day of any future violations that occur after the second violation.

SECTION 5 Effective Date

- 5.1 This By-law shall go into effect as of July 1, 2013 or such later date upon which it is approved by the Attorney General.

ARTICLE 24:

To see if the Town will vote to authorize the Board of Selectmen to enter into renewable energy purchase and/or net metering credit purchase agreements, including solar energy and related net metering credits, for terms of more than three years, and to take all actions necessary to implement and administer such agreements, or to take any other action relative thereto.

ARTICLE 25:

To see if the Town will vote to authorize the Board of Selectmen to issue a Request for Proposals or other solicitation for the erection of a wireless telecommunication structure or tower at the Town's Recycling Center at 601 Stockbridge Road, in accordance with the Wireless Telecommunication Overlay District provisions of the Zoning Bylaw; and to authorize the Board of Selectmen to lease and/or grant an easement or license in a portion of said property for the construction, use and operation of such a structure or tower, and to execute all documents and take all actions necessary in connection therewith, or to take any other action relative thereto.

ARTICLE 26:

To see if the Town will vote to amend Section 9.5.6 of the Zoning Bylaws, Design Advisory Committee for the Downtown Business B District, paragraph 5, by revising the requirement of appointment to the Committee of a landscape architect to appointment of a "design professional," as follows:

9.5.6 Design Advisory Committee. A Design Advisory Committee is hereby established to review applications for all actions that are subject to the provisions of this section and to work cooperatively with owners of land, buildings and businesses. The Design Advisory Committee shall make recommendations to the appropriate decision making body and/or the applicant concerning compliance of the proposed action to the design review standards in this section. The Design Advisory Committee shall consist of seven members, constituted as follows:

1. Building Inspector (ex officio, nonvoting member).
2. Planning Board member, selected by the Planning Board.
3. Historic District Commission member, selected by the Historic District Commission.
4. Architect, appointed by the Board of Selectmen.
5. ~~Landscape architect~~ Design Professional, appointed by the Board of Selectmen.
6. Three members from the general public, appointed by the Board of Selectmen.

The terms of all appointed members shall be five years. The Historic Commission member and the Planning Board member shall serve for one-year terms.

The selecting or appointing boards or commissions may select or appoint an Alternate Member who may serve and act in the place of the Member selected or appointed by that board or commission in the event of the absence of that Member. In the event of an absence, the Chair may elevate an Alternate Member(s) in order to form a quorum and to vote on matters pending before the Committee, provided that the composition of the Committee is not altered.

ARTICLE 27:

To see if the Town will vote to accept, for the following boards, committees, or commissions holding adjudicatory hearings in the Town, the provisions of MGL c. 39, s. 23D, which provide that a member of a board, committee, or commission holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to the member's absence from one session of such hearing, provided that certain conditions as established by said statute are met.

Boards and Committees affected:

Board of Health
Board of Selectmen
Conservation Commission
Planning Board
Zoning Board of Appeals

or to take any other action relative thereto.

ARTICLE 28: (by petition)

We the undersigned citizens of Great Barrington request the following article to be placed on the Warrant for the Annual Town Meeting, May, 2013:

To see if the Town will allocate the necessary funds up to the amount of \$13,000 to move the proposed site for the National Grid Load Center from the corner of Main and Railroad streets to another less visible, less obstructive location prior to the repaving of Main Street as part of the reconstruction project or under separate contract.

ARTICLE 29: (by petition)

We the undersigned hereby petition the Board of Selectmen of Great Barrington to have them place on the warrant of the Annual Town Meeting of 2013, in accord with Massachusetts General Law Chapter 39 section 10 the following article:

A point of order is made to call to the attention of the Moderator. 2 violation of Town Meeting procedure. A point of order shall be immediately recognized by the Moderator. This rule shall be strictly adhered to. Any information and advice to the contrary in Town Meeting Time shall be disregarded. All points of order shall be immediately recognized. The person making the point of order shall then state the point of order.

ARTICLE 30: (by petition)

We the undersigned do hereby petition the Board of Selectmen of Great Barrington to have them place on the warrant of the Annual Town Meeting of 2013 in accord with Massachusetts General Law Chapter 39 section 10, by submitting this petition to the Town Clerk, for the following article to be placed on the warrant:

All Town Meetings held in Great Barrington, both the Annual Town Meeting and all Special Town Meetings shall begin at 7:30 PM.

ARTICLE 31: (by petition)

To the Great Barrington Town Clerk and Board of Selectmen:

We, the undersigned citizens of Great Barrington, request the following article to be placed on the Warrant for the Annual Town Meeting on May 6, 2013.

To see if the town will authorize the use of Free Cash to appropriate the sum of \$15,000 for the purpose of repair/improvement projects for Ramsdell Library.

Because the Library and Historic Commission are the custodians of important historic artifacts, documents, photographs, furniture and books, we ask for funding to support the existing collections at Ramsdell.

Because the sum of the overdue fines collected by both libraries will be in excess of \$15,000 for fiscal 2012/13, because patrons believe that the fines directly support the libraries when they actually go into the general fund, this article asks that patrons and taxpayers be allowed to see their fines work directly for the libraries. To see if the town will appropriate the sum of \$15,000 from the existing library fines account for the purpose of repair/improvement projects for Ramsdell Library. Because the Library and Historic Commission own important historic artifacts, documents,

ARTICLE 32: (by petition)

To the Great Barrington Town Clerk and Board of Selectmen:

We, the undersigned citizens of Great Barrington, request the following article to be placed on the Warrant for the Annual Town Meeting on May 6, 2013.

To see if the town will appropriate the sum of \$2,500 from the Free Cash Fund for the purpose of hiring a part-time, temporary, per-diem intern to assist the Library and Historic Commission in cataloguing historic documents and objects at Ramsdell Library.

Because the donated collections and objects are so numerous and because they are of great historical value to the townspeople of Great Barrington and Housatonic and because this year and ongoing, the library will have saved in excess of \$3,000 because personnel costs have been reduced by staff changes.

ARTICLE 33: (by petition)

To the Great Barrington Town Clerk and Board of Selectmen:

We, the undersigned citizens of Great Barrington, request the following article to be placed on the Warrant for the Annual Town Meeting on May 6, 2013.

To see if the Town will appropriate the unspent, accumulated Library State Aid account up to but not to exceed the sum of \$22,000 to hire a consultant to implement a multi-year, economical way to provide ADA accessible compliance and upgraded systems at the historic Ramsdell Library.

Because Ramsdell Library is not accessible on any of its three floors, because the ADA accessibility federal law of 1992 requires that all public libraries be accessible, because this inadequacy keeps the library underutilized and unable to reach its potential as a multi-purpose library, community center and cultural outpost, we, the undersigned, ask that these funds, undesignated by the State and accumulated by the Library Trustees over many years, be used without additional burden to the taxpayers to hire a consultant to advise us on an affordable, realistic way to accomplish this goal.

HEREOF FAIL NOT, and of this Warrant and your doings thereon, make due return to the Clerk of said Town at or before the time and place of said meeting.

Given under our hands and the seal of the Town of Great Barrington, this day of April, 2013.

Sean Stanton, Chairman

Alana Chernila

Andrew D. Blechman

Deborah Phillips

Stephen C. Bannon

Board of Selectmen of the Town of Great Barrington

A TRUE COPY ATTEST:

William R. Walsh, Chief of Police
Town of Great Barrington

COMMONWEALTH OF MASSACHUSETTS

BERKSHIRE, SS.

I hereby certify that I have served the foregoing warrant by posting duly attested copies thereof in the following places in the Town of Great Barrington, namely:

The vestibule of the Town Hall Building and the Post Office in the Town of Great Barrington, the post office in the Village of Housatonic, Mason Library in the Town of Great Barrington, and the Ramsdell Library in the Village of Housatonic, seven days, at least before the time of holding the within mentioned Town Meeting.

WITNESS my hand and seal this day of April, 2013.

William R. Walsh, Chief of Police
Town of Great Barrington