

**TOWN OF GREAT BARRINGTON  
SPECIAL TOWN MEETING  
AT MONUMENT MOUNTAIN REGIONAL HIGH SCHOOL AUDITORIUM  
STOCKBRIDGE ROAD  
AUGUST 6, 2018 AT 6:00 PM  
MINUTES**

In pursuance of the foregoing warrant the inhabitants of the Town of Great Barrington qualified to vote in Town Meetings proceeded to vote at the above named meeting place with the following results. The meeting was duly called to order at 6:06 P.M. by Moderator Michael Wise who welcomed everyone to the Special Town Meeting. He noted that he hoped to conclude all business this evening. Mr. Wise stated that there was a quorum present and noted the return and service of the warrant. He also asked that cell phones be shut off as well. Mr. Wise requested that everyone stand and join him in the Pledge of Allegiance.

The rules of the meeting were explained by Mr. Wise. The meeting will be governed by the Massachusetts General Laws, the Bylaws of the Town of Great Barrington and Town Meeting Time. More specifically, Mr. Wise reminded everyone of the fire/safety regulations and requested that there be no standing or sitting in the aisles. Only registered voters of the town may participate in the meeting unless permission is granted by the moderator. Before anyone addresses the Town Meeting, he/she must proceed to the microphone and when recognized by the moderator state their name and address. Mr. Wise requested that voters speak only once per motion and limit their comments to three minutes. Comments should be limited to the merits of the motion and should not be repeated. All motions and amendments must be made in writing and any motion to reconsider must be made within 15 minutes of the announced vote. All questions are to be addressed to the moderator who will ask the appropriate person to respond. Each voter has received a warrant, a yellow card and a packet of yes/no cards. Mr. Wise will instruct voters when these are to be used and what color to use if needed. He noted that a counter has been assigned to each section of the auditorium and will report their numbers to the Town Clerk.

The Moderator introduced the people on the stage: Town Clerk Marie Ryan, Town Accountant Susan Carmel, Town Manager Jennifer Tabakin, Town Council David Doneski, Selectboard Chair Stephen Bannon, Selectboard members; Edward Abrahams, Daniel Bailly, William Cooke and Kate Burke. The table to his left were the Finance Committee Chair Tom Blauvelt and Committee Members; Will Curletti, Anne O'Dwyer and Michelle Loubert.

He also indicated that the index in the warrant was incorrect and that Articles 2 and 3 are reversed in order.

A motion was made by someone in the Karen Smith, seconded by someone in the audience to dispense with the reading of the warrant.

**VOTED AT 6:12 PM**

**ARTICLE 1:** (by petition)

Article 25 of the May 7, 2018 Great Barrington, Massachusetts town meeting was a citizens petition stating...it shall be unlawful to sell non sparkling unflavored drinking water in single use containers of 1 liter (34 oz) or less in the town of Great Barrington on or after January 1, 2019 and to amend Chapter 1-5.1, Noncriminal Disposition Bylaw. This article was passed. We, the registered voters of Great Barrington, Massachusetts, signed below, call upon the Selectboard of said town, to hold a special town meeting for the purpose of voting to repeal this law. (Article 22 per the final GB town warrant)

On a motion by Petitioner Laura Keefner and seconded by someone in the audience, I move that the town repeal and rescind the "Sale of drinking water in single-serve containers Bylaw" and the amendment to Chapter 1-5.1 of the Non-Criminal Disposition Bylaw that were voted on by the May 7, 2018 Annual Town Meeting under Article 22 of the warrant for that meeting.

At the beginning of the discussion, Carol Diehl requested a motion for this article be a secret ballot vote, seconded by someone in the audience. The Moderator asked for a vote to make this article A secret ballot vote

**Motion passed to make this article a secret ballot vote**

During the discussions, Charles Plungis ask to call the vote. The Moderator informed that this needed to be a 2/3rds majority to call the vote and he asked for a hand count by the counters.

**YES – 322 No-77**

**Motion passed to call the vote on the main motion.**

The Moderator asked the voters to move to the ballot boxes using their red yes/no slips to vote on Article 1 at 7:05 PM.

**YES – 199 NO – 296**

**ARTICLE FAILED AT 7:23 PM**

**ARTICLE 2:**

To see if the Town will vote to raise and appropriate, or borrow, or transfer from available funds the sum of \$65,000 for construction work needed to complete the transfer station garage project, or to take any other action relative thereto.

**Recommended by the Selectboard**

**ARTICLE 2: (2/3 majority secret ballot)**

On a motion by Eugene Curletti and seconded by Karen Smith, that the sum of \$65,000 is appropriated to pay the construction costs to complete the transfer station garage project, including the payment of all costs incidental and related thereto, said sum to be in addition and as a supplement to the appropriation of \$210,000 voted under Article 5 of the warrant for the 2015 Annual Town Meeting, and that to meet this appropriation, the Treasurer, with the approval of the Selectboard, is authorized to borrow \$65,000 under and pursuant to M.G.L. c. 44, §7(1), or any other authority, and to issue bonds or notes of the Town therefor; and provided, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Town Highway Superintendent Sean VanDeusen explained this article.

Mr. Wise explained that this article has to be passed by a 2/3rds majority and by secret ballot. He then asked the voters to use their green colored yes/no slip and go to the ballot boxes.

**YES – 304 NO-79**

**ARTICLE PASSED AT 7:18 PM**

**ARTICLE 3:**

To see if the Town will vote to appropriate from the Community Preservation Fund reserves the sum of \$20,000 for the Town Hall roof replacement project, including the replacement of two chimneys, or to take any other action relative thereto.

**Recommended by the Selectboard**

**ARTICLE 3:**

On a motion by Tom Blauvelt and seconded by Karen Smith, that the Town appropriate from the Community Preservation Fund budgeted reserves the sum of \$20,000, as recommended by the Community Preservation Committee, for the Town Hall roof replacement project, including the replacement of two chimneys, said sum to be in addition and as a supplement to the appropriation of \$150,000 voted under Article 13 of the warrant for the 2017 Annual Town Meeting.

Town Planner Chris Rembold explained this article. Then the Moderator asked for a vote.

#### **ARTICLE PASSED AT 7:23 PM**

The Moderator, Michael Wise explained that he would excuse himself from Article 4 due a conflict of interest. He asked for Michelle Gilligan to fill in as moderator for Article 4.

Michelle Gilligan explained that the article will be voted in two different motions.

#### **ARTICLE 4:**

To see if the Town will vote to authorize the Selectboard to acquire property that is known and referred to as 11 Roger Road, Great Barrington, MA (the "Property"), together with all existing buildings and structures at the Property, upon such terms and conditions as the Selectboard shall determine are appropriate and with the Selectboard to have custody of the Property; and to raise and appropriate, or transfer from available funds, or borrow a sum of money to fund the acquisition and associated costs; and to authorize the Selectboard to take any action and to execute any documents in connection with such acquisition; and further, to authorize the Selectboard to convey the Property, on such terms and conditions as it shall determine are appropriate, and to authorize the Selectboard to take any action and to execute any documents in connection therewith, or to take any other action relative thereto.

#### **Recommended by the Selectboard**

#### **ARTICLE 4: (2/3 majority)**

On a motion by Stephen Bannon and seconded by Madonna Bachman, that the Town authorize the Selectboard to acquire property that is known and referred to as 11 Roger Road, Great Barrington, MA (the "Property"), together with all existing buildings and structures at the Property, upon such terms and conditions as the Selectboard shall determine are appropriate and with the Selectboard to have custody of the Property for the purpose of sale and conveyance; and to transfer from the Sale of Real Estate fund the sum of \$298,000 to pay for the acquisition and associated costs; and to authorize the Selectboard to take any action and to execute any documents in connection with such acquisition.

Town Council David Doneski then explained this article.

Voter Michael Andelman made a motion to make this article as secret ballot, seconded by someone the audience. The moderator asked for a vote to make this a secret ballot and motion carried and discussion continued.

After no further discussion, the Moderator asked for the voters to use their blue yes/no ballots and go to the ballot boxes and vote. She also made note to the voters that this had to be a 2/3rds majority vote to pass.

**YES – 199 NO – 149**

#### **ARTICLE FAILED BY 2/3RDS MAJORITY AT 8:09 PM**

Moderator Mr. Wise returned as the Moderator for the second motion of the article.

#### **VOTED:**

On a motion by Stephen Bannon and seconded by someone in the audience, that the Town authorize the Selectboard to convey the property known and referred to as 11 Roger Road, Great

Barrington, MA (the “Property”), after acquisition of said Property, together with any or all existing buildings and structures at the Property, on such terms and conditions and for such sum as it shall determine are appropriate, and to authorize the Selectboard to take any action and to execute any documents in connection therewith.

Discussion ensued while waiting for the tally on the first motion of the article. Someone in the audience then requested a motion to reconsider once the vote tally was announced. The Moderator asked for a vote to reconsider.

### **MOTION TO RECONSIDER ON THE FIRST MOTION OF THE ARTICLE FAILED**

The seconded motion of this article was moved since the first part failed.

Motion to adjourn made by someone in the audience and seconded by Tom Blauvelt.

Meeting adjourned at 8:13 PM.

Total of 506 voters out of 4630 total registered voters turned out (10%).

Respectfully submitted,

Marie Y. Ryan, MMC  
Town Clerk

