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TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

Selectboard & ZBA Joint Meeting

Order of Agenda for Monday November 2, 2020, at 5:30 PM, Via Zoom

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84763680062?pwd=ZEd2OFN3QkJjaUliSDg1MVAreDI1dz09>

Webinar ID: 847 6368 0062

Passcode: 337788

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 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 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 by following the 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*****

1. CALL SELECTBOARD MEETING TO ORDER-5:30 PM - OPEN MEETING
 - a. DRAFT RESPONSE TO GB DECLARATION BY SELECTBOARD
 - b. 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.*
 - c. SELECTBOARD'S TIME
 - d. MEDIA TIME
2. CALL SELECTBOARD AND ZBA JOINT MEETING TO ORDER
 - a. CONVENE INTO EXECUTIVE 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.

- b. 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: 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) 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.
- c. 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 return to open session at the conclusion of the executive session.
- d. Roll Call Vote (SB)
- e. 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: 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) 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.
- f. 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.
- g. Roll Call Vote (ZBA)
- h. ADJOURNMENT OF JOINT MEETING

NEXT SELECTBOARD MEETING

Regular Meeting November 9, 2020

Regular Meeting December 9, 2020

Regular Meeting November 23, 2020

Regular Meeting December 21, 2020

/s/ Mark Pruhenski

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.