

Selectmen's minutes of meeting November 23, 2020

Members present: Brian O'Rourke, George Riley, Mark Newman, Joanne Grybosh by remote, Dolores Harasyko, Admin. Asst.

Called to order 7:00 p.m.

Remote participation information provided to the public.

Reviewed and signed minutes of meetings.

Reviewed and signed purchase orders.

Motion by Mark, second by George to release the minutes of the Executive Session for October 1, 2020, 5:00 p.m. session, passed unanimously.

Brian explained that the issue was addressed at the Special Town Meeting Nov. 12, 2020.

George noted that this is the first selectmen's meeting since the special town meeting.

Brian read into the minutes the Open Meeting Law Complaint filed by Alex Bowman. Copy attached to the minutes. The complaint read as follows:

"I made a request for the minutes for Oct 2 executive sessions to the administrative assistant for the board on Oct 2. On Oct 5, I received the reply:

Good morning,

The executive session minutes are not a public record until the issue is resolved and the Board of Selectmen approve releasing them, Dolores.

By October 12, I had not received any additional reply containing nonexempt minutes. It does not appear that the board followed the requirements mandating release of any portion of nonexempt minutes of Section 22 (g)(2) "the public body shall perform the review and release any nonexempt minutes, or any portion thereof, not later than the body's next meeting or 30 days, whichever first occurs."

There has not been any minutes since showing a disclosure determination as required by Section 22 (g)(1): "The public body, or its chair or designee, shall, at reasonable intervals, review the minutes of executive sessions to determine if the provisions of this subsection warrant continued non-disclosure. Such determination shall be announced at the body's next meeting and such announcement shall be included in the minutes of that meeting."

Motion by Brian, second by Mark, passed unanimously to contact Town Counsel for a response to the Open Meeting Law Complaint.

Motion by Mark, second by Brian, passed unanimously to temporarily appoint Earl Moffett as sanitarian for a specific inspection for 139 Sandisfield Road.

Motion by Mark, second by Brian, passed unanimously to reappoint Paul Gaudette to the Zoning Board.

Motion by Mark, second by Brian, passed unanimously to reappoint Barbara Cormier to the Zoning Board.

Reviewed and signed the annual liquor renewals for M. J. Tuckers and the New Boston Inn.

Town Manager updates:

The Complete Streets bid, it has been published in the Central Register and the Berkshire Eagle. This is the 2nd time it has been bid out. The bid opening will be Dec. 16, 2020 at 6:00 p.m.

Permit Eyes, she held 4 separate training sessions with the majority of the feedback positive. She will create a link for the town's website.

She thanked Nina Carr for all her help getting the survey for senior transportation done. Great Barrington is working on a 6 month contract in which there will be minimal service.

Today she was in contact with MBI, they extended the free hot spot at the Town Hall Annex until June 30, 2021.

She received a phone call and email from Roger Kohler regarding the Marijuana bylaw. He is willing to participate in a meeting to discuss.

Town Clerk Dolores Harasyko reviewed the Presidential and State Election. She thanked Joanne for setting up the cleaning service, Brad Curry and Jay Reynolds for replacing light bulbs and adding outside lighting. She expressed her gratitude for all the election workers, constables and especially the Assistant Town Clerk Pauline Bakunis. Our town is fortunate to have a well trained professional group to run the elections.

Future agenda items:

Review and discuss draft of the marijuana bylaw

Review annual business licenses

Topics not reasonably anticipated by the Chair:

Mark presented a copy of the Sheffield Times. The Sheffield times prints the minutes of the Selectmen's meetings in its entirety. He has a problem with the reporting that happens with the Sandisfield Times. Instead of one selectmen writing monthly reviews we should just submit our minutes as written, not edited. He feels the public would be better informed by reading the complete version of the minutes.

Dolores pointed out that once the minutes are approved they are posted to the website and also released through an e-alert. The Selectmen all agreed to no longer do a monthly Selectmen's update. The Sandisfield Times can print the minutes if they so choose.

Dolores asked about cleaning for all the town buildings. The employees are cleaning up after themselves and we try to wipe down after people come into the town buildings. She is concerned

about the uptick in Covid 19. Brian stated that we could revert to closing down the buildings again and go back to working through the mail or drop box.

Nina Carr asked if the town would consider buying a disinfecting fogger through Covid funds, Brian will discuss this with Joanne.

Mail reviewed

Warrants reviewed and signed

Meeting adjourned at 7:42 p.m.

Brian O'Rourke

George Riley

Mark Newman