

# THE NEWSletter

The Newsy Little Paper That Supplements Other Media

Volume 33 Number 6 September 2024

POB 567, Housatonic, MA 01236 Tel: 413-274-6100

E-mail: [thenewsltr@gmail.com](mailto:thenewsltr@gmail.com) Copyright 2024 Eileen Mooney, editor/publisher

## Fall 2024 Flu and COVID

### Vaccine Clinic Schedule 9.5.24

<https://home.color.com/vaccine/register/tritown>

Day	Date	Time	Clinic Site	Address	Town
Sat	9/28/2024	10 am - 1pm	<a href="#">W.E.B. Dubois Middle School</a>	313 Monument Valley Rd	Gt Barrington
Tues	10/8/2024	3 - 6pm	<a href="#">Lenox Memorial Middle/High School</a>	198 East St	Lenox
Weds	10/9/2024	3 - 6pm	<a href="#">Lee Middle/High School</a>	300 Greylock St	Lee
Tues	10/15/2024	1:30 - 3:30pm	<a href="#">Sandisfield Old Town Hall</a>	3 Silverbrook Rd	Sandisfield
Weds	10/16/2024	3pm - 6pm	<a href="#">Mt Everett Regional School</a>	491 Berkshire School Rd	Sheffield
Thurs	10/17/2024	1 - 3pm	<a href="#">Claire Teague Senior Center</a>	917 Main Street	Gt Barrington
Tues	10/22/2024	10am - 12pm	<a href="#">Tyringham Town Hall</a>	116 Main Rd	Tyringham
Weds	10/23/2024	1:30 - 3:30pm	<a href="#">New Marlborough Fire Station</a>	205 Norfolk Rd	Southfield
Tues	10/29/2024	12 - 2pm	<a href="#">Alford Town Hall</a>	5 Alford Center Rd	Alford
Weds	10/30/2024	1:30 - 3:30pm	<a href="#">St. Ann's Catholic Parish</a>	134 Main St	Lenox
Thurs	10/31/2024	1:30 - 3:30pm	<a href="#">Sheffield Senior Center</a>	25 Cook Rd	Sheffield
Tues	11/5/2024	11am - 1pm	<a href="#">Otis Town Hall</a>	1 N Main Rd	Otis
Thurs	11/7/2024	1:30 - 3:30pm	<a href="#">Lee Senior Center</a>	21 Crossway St	Lee
Tues	11/12/2024	1:30 - 3:30pm	<a href="#">Housy Dome</a>	1064 Main St	Housatonic
Tues	11/19/2024	10am - 12pm	<a href="#">Monterey Community Center</a>	468 Main Rd	Monterey
Thurs	11/21/2024	1:30 - 3:30pm	<a href="#">Stockbridge Town Hall</a>	50 Main St	Stockbridge
Fri	11/22/2024	3pm - 6pm	<a href="#">W.E.B. Dubois Middle School</a>	313 Monument Valley Rd	Gt Barrington
M-R	Ongoing	Mid-day	<a href="#">Tri-Town Health Department</a>	45 Railroad Street	Lee

Vaccines available at these clinics include the fall updated COVID vaccine (ages 6 months+), regular dose flu (ages 6 months+) and senior dose flu (ages 65+)

Contact SBPHC staff for assistance registering or to schedule a homebound appointment by calling 413 243 5540 x109

[Visit www.southernberkshirehealth.com](http://www.southernberkshirehealth.com) for more information



If your face is green or blue or red, please see page 2 about the status of your subscription.  
People who get THE NEWSletter by email are notified individually.

PRESORTED STANDARD

U.S. Postage Paid  
Permit #818  
Pittsfield MA 01201

THE NEWSletter  
POB 567  
Housatonic MA 01236  
Change Service Requested

**SOUTHERN BERKSHIRE PUBLIC  
HEALTH COLLABORATIVE**

**2024** ♥  
**FLU & COVID  
VACCINE**  
**NO COST CLINIC**

**Claire Teague Senior Center**  
**Thurs, 10/17, 1-3pm**  
**917 Main Street, Great Barrington**

**Registration Assistance is available**  
**Thurs, 9/19 from 10am - 11pm at the**  
**Claire Teague Senior Center**  
**Please Bring Your Insurance Card**

**Pre-Registration is Required**  
[home.color.com/vaccine/register/tritown](https://home.color.com/vaccine/register/tritown)



**NEED HELP?** Call (413) 243-5540 x109  
for assistance registering or to see if you are  
eligible for an in-home vaccination

*Standard (6 mos.+ ) and senior (65+ yrs) flu and  
COVID vaccine (6 mos+) will be available*

Visit [www.southernberkshirehealth.com](https://www.southernberkshirehealth.com)  
for more information



SOUTHERN BERKSHIRE PUBLIC  
HEALTH COLLABORATIVE

2024 ♥  
FLU & COVID  
VACCINE  
NO COST CLINIC

**HOUSY DOME**

**Tues, 11/12 from 1:30 - 3:30PM**

**1064 Main St, Housatonic**

**Registration Assistance is Available**

**Thurs 9/19 from 10 - 11am at the**

**Claire Teague Senior Center**

**Please Bring your Insurance Card**

**Pre-Registration is Required**

**[home.color.com/vaccine/register/tritown](https://home.color.com/vaccine/register/tritown)**



**NEED HELP?** Call (413) 243-5540 x109  
for assistance registering or to see if you are  
eligible for an [in-home vaccination](#)

*Standard (6 mos.+) and senior (65+ yrs) flu and  
COVID vaccine (6 mos+) will be available*

Visit **[www.southernberkshirehealth.com](https://www.southernberkshirehealth.com)**  
for more information

# Meetings in September & So Far in October

MEETING AGENDAS are posted on the town's website at [townofgb.org](http://townofgb.org), and sent by THE NEWSletter. The agendas tell where to attend and provide a Zoom link, if needed.

A meeting held with all members there in person may still be held even if a Zoom link doesn't work, according to the Division of Open Government.

## Watch Past Meetings Online

Recordings of many meetings are on Community Television for the Southern Berkshires at [ctsbvtv.org](http://ctsbvtv.org). YouTube and the Selectboard's website page. You can watch on your computer or on Spectrum cable television channels 1301 (public), 1302 (education) and 1303 (government).

Some boards, the Claire Teague Senior Center and town libraries have their own websites.

The Berkshire Hills Regional School District has a website, [bhrs.org](http://bhrs.org). It, the town, Cultural Council, police and fire departments also have Facebook pages.

*The following meeting dates may change and more almost certainly will be added.*

## September

-Housing Authority meets Sept. 18, 1 p.m.

-Berkshire Hills Regional School Committee's building committee (regarding Monument Mountain Regional High School's future) meets Sept. 18, 5 p.m.

-Selectboard meets Sept. 23, 6 p.m.

-Council on Aging meets Sept. 25, 1 p.m.

-Conservation Commission meets Sept. 25, 6 p.m.

-Planning Board meets Sept. 26, 6 p.m.

-BHRSC meets Sept. 26, 6 p.m.

## October

-Tree Committee meets Oct. 2, 5 p.m.

-Planning Board meets Oct. 10, 6 p.m.

-BHRSC meets Oct. 10, 6 p.m.

-Indigenous Peoples' Day is Oct. 14. (formerly Columbus Day) Town offices are closed

-Finance Committee meets Oct. 15, 6 p.m.

-Historic District Commission meets Oct. 17, 5:30 p.m.

-Housatonic Improvement Committee meets Oct. 17, 6:30 p.m.

-Selectboard meets Oct. 21, 6 p.m.

-Parks Commission meets Oct. 22, 5:15 p.m.

-Planning Board meets Oct. 24, 6 p.m.

-Council on Aging meets Oct. 30, 6:30 p.m.

-Halloween! 0000

# Libraries, Senior Center, Recycling Center Information

THE TOWN'S TWO LIBRARIES have a website at [gblibraries.org](http://gblibraries.org). THE NEWSletter sends the libraries' monthly newsletter to its email list.

The New York Times, New York Times Cooking, Berkshire Eagle, Washington Post and THE NEWSletter can be read free online. Anyone with a Massachusetts library card can sign up for a Boston Public Library e-card.

Books, CDs and DVDs can be ordered by calling Mason Library at 528-2403 or emailing [masonramsdell@gmail.com](mailto:masonramsdell@gmail.com) or [bark.cwmars.org](mailto:bark.cwmars.org). Wifi is available on both libraries' lawns and Mason's parking lot.

## Mason Library

Mason Library on Main Street, Great Barrington, is closed Sundays and open Monday through Fridays from 10 a.m. to 6 p.m. and Saturdays from 10 a.m. to 3 p.m.

Its phone number is 528-2403.

Mason Library plans to offer youth chess and board games for homeschoolers.

## Ramsdell Library

Ramsdell Library on Main Street, Housatonic, is open Sundays from 1 to 4 p.m., Mondays, Tuesdays and Wednesdays, 1 to 6

p.m.; closed Thursdays and Fridays, and open Saturdays, 10 a.m. to 3 p.m.

Its phone number is 274-3738.

Ramsdell has a loaning Library of Things, including visual reality goggles, a sewing machine and a staple gun.

A knitting group meets at Ramsdell Library in Housatonic every other Tuesday at 4:30 p.m. Coming dates are Sept. 24 and Oct. 8 and 22. People are asked to tell the library if they're coming so it's known how many to expect. The program is free.

\*\*\*

THE CLAIRE TEAGUE SENIOR CENTER at 917 South Main St. offers activities and fitness classes, lunches and help with technology, driver-license renewals, and more.

Its website lists lunch menus and is at [greatharringtonseniors.org](http://greatharringtonseniors.org).

The center provides transportation for elderly and disabled people who call 528-1881 at least 48 hours in advance.

Staff is available Mondays through Fridays to answer calls and offer counseling. for

SHINE, Serving the Health Insurance Needs of Everyone.

Big Y donations are available Mondays and Wednesdays.

THE NEWSletter sends "Grapevine," the center's monthly newsletter, to subscribers who have requested it.

\*\*\*

THE RECYCLING CENTER on Stockbridge Road, across from Monument Mountain Regional High School, is open Fridays, 8 a.m. to 3 p.m.; Saturdays, 7 a.m. to 3 p.m.; and Sundays, 10 a.m. to 3 p.m.

Its fees are at [townofgb.org/recycling-transfer-station](http://townofgb.org/recycling-transfer-station). The composting program has ended, if only temporarily.

Town residents' household hazardous waste will be accepted Nov. 9 at the recycling center.

Preregistration is required. More information is available from Jason Dragonetti at [jason@tritownhealth.org](mailto:jason@tritownhealth.org).

Tri-Town Health is sponsoring the event, which requires prior approval for more than 10 gallons.

# How to Subscribe to THE NEWSletter

**READERS:** If your budget is increasingly tight and you're a senior or have a family, send what you can to subscribe.

THE NEWSletter can make this offer only because some subscribers generously send extra when they renew. Thanks to them, THE NEWSletter can hold off on a rate increase, even as all its costs increase.

## When to Renew

IF YOUR face on the printed issue is green, your subscription ends with the next issue or the one after that.

If your face is blue, it's time to renew.

Red face? Your paid or free trial subscription ended and you're about to come off the mailing list.

## How To Subscribe

Twelve issues (one year) are \$35 for the print version within the 012 zip code or \$30 for the emailed one anywhere.

Cost to get the printed TN by bulk mail outside the 012 zip code is \$40. Cost for first class for a year (12 issues) is \$50.

Cost to receive THE NEWSletter in large type is \$40 for 12 issues, plus the annual print subscription.

## Where To Mail Your Check

Checks should be made payable to THE NEWSletter and mailed to it at POB 567, Housatonic 01236.

Both the written and emailed versions include free emails — agendas, news updates, forwarded material — sent between issues. Your name and email address are kept confidential unless you're an elected or appointed public official.

You can forward everything to as many people as you want. Having THE NEWSletter send those emails between issues is \$5 a year for each name. -EWM



# Board of Health Orders HWW To Increase Tests, Provide Alternate Water Source Or Pay \$1,000 a Day

THE BOARD OF HEALTH has confirmed its order, first served Aug. 22 on Housatonic Water Works, amended Sept. 10 and intended to relieve customers' complaints that water is discolored, has ruined clothes and linens and has had high levels of haloacetic acids, a possible cancer-causing agent.

HWW's lawyer has indicated the company may appeal the order. THE NEWSletter will send updates by email to subscribers.

The amended order requires:

- Random weekly testing of HWW water be done at a laboratory chosen by the health board, at HWW's expense.

- No employee or agent of HWW "may impede or otherwise interfere with the collection or analysis of any testing sample" taken on property HWW owns or controls.

- HWW must give every household that is its customer an alternate supply of bottled water at the company's expense. Otherwise, HWW must pay a penalty of \$1,000 a day.

- The board's agent and the testing laboratory must be able to reach HWW 24 hours a day in case of an emergency or violation of the order.

- An HWW agent, employee or lawyer must attend a board meeting if requested.

- HWW must "submit a work plan with date milestones for compliance with all of the terms of this Order with 14 days of the date of this Order."

- HWW must "document, on a daily basis, all work performed for purposes of compliance" with the order and provide that documentation to the board on a specified schedule.

- HWW shall appear at board meetings "to report on the progress and the expected date of completion of the actions taken for purposes of compliance with this Order."

- HWW shall provide the board with written notice of any circumstance or condition that may impair the ability "to comply with this Order so the Board may take reasonable and appropriate action in response."

The order that was originally issued is reproduced in this NEWSletter.

## Executive Session Starts Meeting

The Sept. 10 meeting began about 6:30 p.m. with an almost 90-minute executive session of the three board members -- chairman Michael Lanoue, Dr. Ruby Chang and Peter Stanton -- and their attorneys, David Doneski of town counsel KP Law and Mike Hugo of the Massachusetts Board of Public Health.

## Public Filter at Community Center

When the public session began, attorney Ashley Barnes of Boston-based Bowditch &

Dewey, representing HWW, said that instead of providing bottled water, the company will pay to install a water filter at the Housatonic Community Center through the end of October, when lines will be flushed.

The town would decide how the faucet with filter would be used, she said.

Also, HWW is willing to go from the present four test sites to 10 until the end of October. She would have to check whether another consultant could be used, she said.

Discoloration from magnesium usually stops in the winter, she said. Since the green-sand filtration plant, intended to eliminate the problem, will be designed by Sept. 30 and then be built by next year, discoloration will no longer be a concern, she explained.

THE NEWSletter has twice asked Ms. Barnes for the statement she read at the Sept. 5 hearing but she has not responded. THE NEWSletter has filed a public records request with the town for communication from the various parties.

Dr. Chang asked whether HWW has worked with or reached out to residents on flushing private lines. Ms. Barnes said she was not sure.

"If you can't provide the clean water you're being paid for, you should get other water," Dr. Chang stated. If sincerity [by HWW] is there, more flushing or alternate water can be provided, she observed.

At 8:08 p.m., the hearing was opened to public comment. Eleven speakers, all HWW customers, spoke.

First to speak was Kate Van Olst, who said in part that it was unacceptable to have to go to a "local hose for water." That would also be difficult for the young, the disabled and the elderly, she said.

Selling brown water for a profit is wrong, Jack Talierco said.

(NEWS continues on page 4)

## No Forum in October For BHRSC Candidates

Few candidates and no contests equals no candidates' forum in October.

That's the decision of the chairmen of Great Barrington's Democratic and Republican town committees, THE NEWSletter and Ken Knox, who would have been moderator.

The Nov. 5 election ballot will list, for Great Barrington, incumbents Diane Singer and Richard Dohoney and newcomer Alison Read, and for Stockbridge, incumbent William Vogt.

Anne Hutchinson of Great Barrington is not seeking re-election. Neither are Corey Sprague of Stockbridge and Bonnie Bon-Buffoni of West Stockbridge. Write-ins on the ballot will determine those two seats.

Profiles of the candidates -- including any running as write-ins -- will be in the October NEWSletter.

However, a forum will be held before a vote in 2025 on a renovated or new school, Michael Wise, Democrats' chairman, and Walter Atwood III, Republicans' chairman, Mr. Knox and Eileen Mooney of THE NEWSletter have agreed.

## Early In-Person Voting Starts Oct. 19

Meanwhile, in-person voting for the Nov. 5 election starts Oct. 19 from 9 a.m. to 3 p.m. at Town Hall and continues there Oct. 21 through 25 from 8:30 a.m. to 4 p.m., Oct. 26 from 9 a.m. to 3 p.m., and Oct. 28 through Nov. 1 from 8:30 a.m. to 4 p.m.

Deadline to register to vote in the election is Oct. 26.

Polls will be open Nov. 5 from 7 a.m. to 8 p.m. at the State Road Fire Station for precincts A, C and D and the Housatonic Community Center for precinct B.

Town clerk Josh Risen is at 413-528-1619 or [jrisen@townofgb.org](mailto:jrisen@townofgb.org) for questions.

For Clean-Heat Comfort

JOHN B. HULL, INC.

100 Main St. Great Barrington, MA

413-528-2800

**READERS:** To avoid the appearance of conflict of interest, I do not report on the Great Barrington Housing Authority or send its minutes as I am an elected member

# Health Board's HWW Order, cont.

Are the so-called "private roads" actually private? Debra Herman wondered. Lucinda Hastings also raised this question.

## 'Insincere, Cheap Olive Branch'

Andrew Berens called the filter proposal "an insincere, cheap olive branch that the company is offering."

He questioned accuracy of the manganese testing, stating it was "based on six discolored specimens that were the basis linking manganese and the discolored water in the Cornwell study." (The 2020 study, done for the town, is on the Selectboard's page on the town website, [townofgb.org](http://townofgb.org).)

"In this study, there were actually more specimens that were discolored with normal or low manganese levels, so something else occurring in pipes may be causing the discoloration," he said.

"This needs to be studied systemically and objectively, and as your own consultant advised during the first meeting, tested when the water is discolored..."

Also, he noted, an AECOM study recommends that 2% of a water distribution sys-

tem's piping be replaced every year. But, the study states, the only known pipe replacements in the distribution system "were completed in the early 1990s in response to low pressure areas. These improvements represented approximately 16% of the total piping within the system. The remainder of the system is likely unchanged from when it was installed, some of which was in the late 1800s.

"As much as 70% of the distribution system piping consists of old cast iron pipes, most of which are presumed to be unlined. Nearly 13% of the system consists of asbestos cement material, which could cause health hazard if the pipes begin to deteriorate." (This report was also done for the town and is on the Selectboard's website page.)

## Board Votes To Issue Amended Order

Health board chairman Michael Lanoue said "very consistent and clear comments" had been made and he shares those about needing an alternate water supply.

He, Dr. Chang and Peter Stanton voted to uphold the original order but to remove that violations would be \$1,000 a day *per household*. Ms. Barnes, HWW's lawyer had said Sept. 5 that this could be about \$750,000 a day and would put HWW out of business.

They also agreed to remove mention of a separate penalty and said the order would be effective as soon as it was served.

Mr. Berens said the lesser penalty "seems an incentive for HWW to ignore the order."

## Hearing Opened Sept. 5

When the hearing opened Sept. 5, Ms. Barnes said the Board of Health was exceeding its authority. Attorney Doneski disagreed.

When the order had been served, Ms. Barnes said she would appeal it the next day. However, she also said weekly tests for magnesium could be done for 30 days and two more test sites could be added, for a total of six.

Mr. Stanton said that would not be sufficient and test sites should be where the water is not good.

There has been underinvestment in infrastructure and he is not convinced the green-sand plan will work, he said.

## Sign Up for Releases

SUBSCRIBERS CAN SIGN UP to receive information listed below, including minutes of all board meetings and obituaries if THE NEWSletter receives them from the funeral home.

This is part of your NEWSletter subscription. There's no added cost.

On the list are:

-1Berkshire, BEAT, Berkshire Black Economic Council, Berkshire Community Land Trust, Chamber of Commerce, CHP;

-Clinton Church Restoration/W.E.B. Du Bois Center for Freedom and Democracy, Community Development Corp., Construct, Cultural District,

-District Attorney, Dewey Hall, Farmers Market, Great Barrington Historical Society;

-RSYP, Schumacher Center for a New Economics, Claire Teague Senior Center, Train Campaign, and Volunteers in Medicine.

Feel free to suggest more.

Everyone gets information about town libraries and the Attorney General's Division of Open Government. That's because the libraries serve all ages and the Division oversees the Open Meeting Law, which helps ensure government transparency.

## DPU Decision Addressed Privately Owned Mains

The Department of Public Utilities' July 31 approval of rate increases for Housatonic Water Works states in part:

"The poor water quality in the privately-owned mains also has the potential to affect the water quality in the entire system through the dislodgement and infusion of inorganic matter during hydraulic events such as main breaks. ...

"The customers living on those affected roads may not have been aware of their obligation to maintain the privately-owned mains until they were notified by the Company in December 2021 pursuant to an Administrative Consent Order ('ACO') with DEP ...

"Prior to its next base distribution rate case, the Company shall conduct an analysis of potential solutions to improve the water quality in the privately-owned mains connected to its distribution system."

Mr. Lanoue said there is ample evidence of a problem and HWW's explanations, such as that climate change causes this, "do not square."

Complaints have been received from 36 households, Dr. Chang noted.

Ms. Barnes said she needs to confer with her client and board members wanted to confer with their lawyers so the hearing was continued to Sept. 10.

Eighteen residents spoke, almost all about their water problems.

## Water Problem? Tell Board

Board members have urged HWW customers to notify them about any water problems. The board's office is at 528-1610 ext. 7.

The board's emails are:

Mr. Lanoue is [lanoue33@gmail.com](mailto:lanoue33@gmail.com).

Dr. Chang is [rubybchang@gmail.com](mailto:rubybchang@gmail.com).

Mr. Stanton is [pstanton66@gmail.com](mailto:pstanton66@gmail.com).

## How To Reach State Senator, Representative

STATE SEN. PAUL MARK has office hours in the Great Barrington Town Hall the first and third Monday of the month from 9 a.m. to noon.

His district office is at 773 Tyler St., Pittsfield. Telephone number is 413-464-5635 there and 617-722-1625 at the State House.

His constituent services director, Casey Pease, is at [casey.pease@masenate.gov](mailto:casey.pease@masenate.gov).

\*\*\*

STATE REP. SMITTY PIGNATELLI does not have office hours but is at [rep.smitty@mahouse.gov](mailto:rep.smitty@mahouse.gov).

His district office number is 413-637-0631; the State House number is 617-722-2692. The office is open from 9 a.m. to 5 p.m. weekdays.

## Looking for a Home? Call Tom Doyle

email: [scarnaghtom@gmail.com](mailto:scarnaghtom@gmail.com)  
cell: 646-438-1329

Podcast Link: (best @38 minutes for real estate info)  
<https://youtu.be/YATqYuLSVC8>

Bishop West Real Estate Inc. in Massachusetts, New York,  
Florida, Vermont

Dunes Real Estate, The Lowman & Doyle Team, in Hilton Head, S.C. 29928

## *Results of Primary Vote for State Representative*

Shown below and prepared from several sources are results of Democrats' votes for state representative in the Sept. 3 state primary. Write-ins and blanks are not shown so a town's total may not equal votes shown. Selectmen Leigh Davis of Great Barrington and Marybeth Mitts of Lenox, not enrolled in a political party, will both seek the position in the Nov. 5 election. William "Smitty" Pignatelli is not seeking re-election to the position he's held since 2003.

The 3rd Berkshire District was known as the 4th Berkshire District until it was redrawn in 2021. The other two Berkshire districts are District 2, Pittsfield, and District 1, with Adams, Cheshire, Clarksburg, Florida, Hancock, Lanesborough, New Ashford, North Adams, and Williamstown.

Town	Leigh Davis	Jamie Minacci	Patrick White	Total Voted	Total Registered Voters
Alford	60	3	43	106	391
Becket	178	23	82	283	1,614
Dalton	448	70	201	719	2,549
Egremont	213	14	93	324	1,105
Great Barrington					
Precinct A	256	16	110	total of 1,158 voted and 5,086 registered	
Precinct B	206	9	164		
Precinct C	175	11	91		
Precinct D	275	12	111		
Lee	421	64	279	764	4,681
Lenox	538	82	358	1,044	3,856
Monterey	130	6	53	189	805
Mount Washington	20	1	24	54	144
New Marlborough	135	8	126	274	1,242
Otis	109	16	49	175	1,333
Richmond	126	26	90	259	1,291
Sandisfield	46	10	27	83	675
Sheffield	250	26	179	466	2,640
Stockbridge	138	38	427	611	1,701
Tyringham	48	4	32	84	366
Washington	51	11	20	91	410

## *Du Bois Statue at Mason Library Gets \$50,000 State Grant*

The proposed life-size statue of W.E.B. Du Bois to be on the front lawn of Mason Library has received a grant of \$50,000 from the Massachusetts Office of Economic Development.

The W.E.B. Du Bois Sculpture Project has raised \$290,000 for the statue from foundations and private donors, according to its news release.

Sculptor Richard Blake is at work on the monument, which will be dedicated in 2025, the release states.

State Sen. Paul Mark, chairman of the Joint Committee on Tourism, Arts, and Cultural Development, requested the funds.

"Few people know that Du Bois — a civil rights giant and founder of the NAACP — was born and raised in Great Barrington," Sen. Mark observed. "These funds will help complete the monument and promote Black history and tourism in the Berkshires."

Dr. Du Bois was born Feb. 23, 1868 in Great Barrington. He was the first African

American to earn a doctorate from Harvard. A world-famous sociologist and historian, he became the NAACP's director of publicity and research and started its official journal, "The Crisis," in 1910.

His writings include *The Souls of Black Folk*.

He died Aug. 27, 1963, in Accra, Ghana.

The W.E.B. Du Bois Sculpture Project has a goal of \$375,000. Its website is at [webduboisculpture.org](http://webduboisculpture.org)

# Conservation Commission, Parks, Ramsdell Committee

THE CONSERVATION COMMISSION at its Aug 28 meeting continued two permit requests to its **Sept. 25** meeting.

The meeting will start at 6:30 p.m. in the Town Hall meeting room and on Zoom.

One request, for a determination of applicability under the town's Scenic Mountain Act, is for property at **24-30 Berkshire Heights Road**. The commissioners agreed they want to visit the site and discuss at the meeting what needs to be done.

They also are looking for a consultant to help them with the project.

The proposed project, continued from the June and July meetings, includes removing "numerous dead, diseased and/or dangerous mature trees and selectively thinning a few health trees to improve the existing vista."

Also continued from June and July is the request for a notice of intent for part of the town's right-of-way and roadway of **Brush Hill Road crossing Brookside Pond Tributary** and adjacent land and stream course.

The commission has visited the site. The state Department of Environmental Protection has suggested changes to the application.

Approved at the August meeting was an abbreviated notice of resource area delineation for **271 Monument Valley Road**. The area includes a bordering vegetated wetland and intermittent stream.

Commissioners agreed that **Berkshire Natural Resources Council** can proceed with a gravel access drive and parking area connecting off Alford Road to the trail head of a new Tom Ball loop trail.

At its July 24 meeting, the commission approved a notice of intent for the trail, to reach a total length of 5.4 miles.

Commissioner Andrew Mankin said he again saw someone spraying pesticides into a wetlands and he feels this is a violation. Commission agent Shepley Evans said he

will discuss this with the Department of Agriculture.

## Approved in Earlier Meetings

Approved during the July 24 meeting was a notice of intent to remove three mature trees and extend a deck at **51 Dresser Ave.** on the Housatonic River.

A detailed planting plan showing erosion controls, number of plants, species and location and a description of the planting process and time frame are to be presented before the project begins.

During the June 26 meeting, the commissioners approved a wetlands delineation plan for part of the Monument Mountain Regional High School campus.

The boundaries are being established as part of the planning of possible new high school facilities and related access, parking and recreational areas.

Commission chairman Kate Van Olst noted she is a member of the Berkshire Hills Regional School Committee's building committee.

## Enforcement Order

Mr. Evans said at the July meeting that a 69-acre property on Blue Hill Road was permitted for forest cutting but the state Department of Conservation and Recreation has refused to let it proceed because of "concerns about steep skidder trails, lack of water bars and serious erosion," according to the minutes.

The commission agreed Mr. Evans should issue an enforcement order prohibiting the project.

## New Commission Member

The commission has a new member as the selectmen in April appointed Ashlee Van Deusen of 5 Ramsey Ave.

In her application, Ms. Van Deusen notes that she grew up in Sheffield and attended Mount Everett High School. She has a degree in environmental science from the University of Massachusetts-Boston and a master's in public administration from Westfield State University.

She moved to Great Barrington in 2020 and is with Renaissance Investment Group.

She wrote in part:

"The Conservation Commission has a responsibility to the town to help navigate the balance of allowing property owners to use their property while also being mindful of the appropriate regulations and best practices that allow us to protect the environment and continue to live in the beautiful place that is Great Barrington."

Being involved in the community "is very important," she wrote.

On the commission with Ms. Van Deusen, Ms. Van Olst and Mr. Mankin are Andrew Didio, Michael Lanoue, Thomas Ferris and David Shanahan.

\*\*\*

WINTER FARMER'S MARKETS will be held Saturdays at the Housatonic Community Center on **Nov. 23, Dec. 21, Jan. 18, Feb. 15, March 15 and April 10.**

The Parks Commission gave Berkshire Grown permission to use the center those days from 6:30 a.m. to 4 p.m., including setup and breakdown.

## Purple Lights on Town Hedges

**Rural Recovery** has permission to leave purple lights on the hedges in Castronova Park on Main Street during September in honor of National Recovery Month.

The park is across from the bridge linking State Road and Main Street.

Purple is recognized as the color of recovery and is traditionally associated with courage. It is a very courageous act for a person to choose a life in recovery, Gary Pratt, executive director of Rural Recovery, explained to THE NEWSletter.

Rural Recovery is paying for the electricity. It also had commission approval to use the park for an International Overdose Awareness Day candlelight vigil Aug. 31.

The Selectboard has given Rural Recovery permission to hang banners from utility poles on Main Street from Castle Street to Cottage Street.

Its website is [southcountyrrecoverycenter.org](https://southcountyrrecoverycenter.org)

**Walking Our Talk**, a gathering of Berkshire women seeking connection and support for personal and professional goals, was approved to use the bandstand behind Town Hall for a fundraising walk **Sept. 22**.

The organization's website is at [walkingourtalk.org](https://walkingourtalk.org).

\*\*\*

SEVEN RESIDENTS were named to the **Ramsdell Building Committee** by the Selectboard Aug. 12.

The committee is intended to help design "a modern, progressive, next-generation library and provide recommendations to the Selectboard and Board of Library Trustees throughout the Massachusetts Board of Library Commissioners (MBLC) building grant process.

Duties include reviewing the current library building program and helping with other tasks as part of the town's application for a Massachusetts Public Library Construction Program grant to renovate Ramsdell Library.

Appointed are library trustees Dr. Ruby Chang and Patrick Hollenbeck; Rebecca Tamol-Kay, a former member of the Planning Board and project architect on the renovation of Monterey Library; Department of Public Works superintendent Joe Aberdale; and library director Dawn Jardine.

Also named are Housatonic residents Rachel Louchen, an agent with Berkshire Property Agents and a parent, and John Nelson, pastor of Congregational Church of Salisbury, Conn. His wife, Angela Lomanto, is on the Housatonic Improvement Committee.

Two other people also applied.

The trustees are also seeking private donations for Ramsdell's renovation.



402 Park Street

P.O. Box 547

Housatonic, MA 01236

[housatonicrealestate.com](https://housatonicrealestate.com)

413.274.5065





### Possible Long Term Traffic Solutions | Roundabouts

- Consider either or both roundabouts
- DOT has full control of intersection at Monument Valley and Stockbridge Rd
- Entrance to school considered "private" way.
- Further discussions with MassDOT

**Shown here is a proposal DiNisco Design is studying to improve traffic flow for Berkshire Hills Regional School District schools. This is a screenshot taken at the Aug. 21 meeting. "Future" MMRHS is for planning purposes.**

## MMRHS Info. Session Is Oct. 1, More BHRSD News

A COMMUNITY INFORMATION SESSION on proposed designs for renovations and addition to Monument Mountain Regional High School or a new building will be held **Oct. 1**.

The building committee and project team will hold the session at 6 p.m. on Zoom and in the Berkshire Hills Regional School Committee's office at 50 Main St., Stockbridge. The Zoom link will be sent before the meeting.

Meanwhile, the Massachusetts School Building sought and received more information for the preliminary design submission in August.

That document, with the added information, is at [monumentbuildingproject.org/documents/document-center/](https://monumentbuildingproject.org/documents/document-center/)

Also there is the presentation from Aug. 21, when updated designs were presented.

DiNisco Design, with William Rawn Associates, is designing the buildings. Project manager is Skanska USBA Building, Inc.

They continue to review for costs and traffic flow the sites where an addition or new school might be built.

The Conservation Commission in June approved a wetlands delineation plan for part of the campus.

Floor plans and designs are being updated and discussed with MMRHS staff.

Final plans are expected to be presented **Nov. 20** to the building committee, which will send its recommendation to the Berkshire Hills Regional School Committee.

The committee will decide what design should be presented to voters -- renovated with large addition or new building. That design will be presented to the MSBA.

Voters in the district's three towns of Great Barrington, Stockbridge and West Stockbridge are expected to decide in 2025 whether to fund a building proposal.

\* \* \*

NINETY-SIX students from Berkshire Hills participated in the summer's CLEO program, which runs for six weeks in the summer and after-school.

CLEO stands for Community, Learning and Enrichment Opportunities. Its website is at [bhrsd.org/cleo/](https://bhrsd.org/cleo/). The program is funded by a 21st Century Community Learning Centers federal program.

The program, also known as Out-of-School Time Programming, is free and bus-ing is available.

Attending the summer program were 46 students from Muddy Brook Regional Elementary School, 37 from Du Bois Regional Middle School and 13 from MMRHS.

Some spring activities, were bilingual "so that English students were learning Spanish and Spanish-speakers were learning English," program director JP Okin explained.

CLEO's fall programming starts Sept. 30 with more than 50 Muddy Brook students already registered.

\* \* \*

ROBERT PUTNAM, who for 23 years was first a teacher and then an administrator in the Berkshire Hills Regional District, is now interim assistant superintendent.

He was appointed earlier this year before superintendent Peter Dillon went on a brief medical leave.

Mr. Putnam is working up to three days a week through December. He is paid \$800 a day.

Since working for the district, he has been superintendent, assistant or interim superintendent in the Central Berkshire, Farmington River and Adams-Cheshire Regional school districts.

\* \* \*

THE BARR FOUNDATION has renewed a \$150,000 grant for Berkshire Hills to continue its work on curriculum, assessment and student voice at MMRHS.

The grant is for one year, Mr. Dillon said.

The district also has a \$13,500 grant from Tides Center to support visits to schools in Kentucky for a team of an assistant principal, several teachers, two students, and a school committee member.

### *Former BHRSD Teacher Seeks Jury Trial, Award*

A lawyer has amended the lawsuit filed for the former Du Bois Regional Middle School teacher questioned by a Great Barrington police officer about the book "Gender Queer,"

Todd and Weld LLP of Boston, representing Arantzazu Zuzene Galdos-Shapiro, filed the amended complaint Aug. 29 in the U.S. District Court for the District of Massachusetts against Great Barrington, Police Chief Paul Storti, officer Joseph O'Brien and Berkshire Hills Regional School District superintendent Peter Dillon.

They seek damages, attorney's fees and costs and a jury trial "on all counts so triable."

The original complaint was filed May 14.

# Would you like to own an affordable home in Housatonic?

Habitat is working with the Town of Great Barrington and the Great Barrington Affordable Housing Trust to develop a community of 20 single-family homes on a property off of North Plain Rd called PROSPERITY WAY.

If you, or someone you know might be interested in owning a home, please contact our Homeownership Specialist at 413.442.31.81 x2



Each single-family home will be energy-efficient, built for affordable heating and cooling mini-splits. All 20 homes will have full-home water filtration systems built in. Home designs will be ranch and two-story designs with 3 or 4-bedrooms. The homeowners will form a condo association where YOU will decide on community amenities and maintenance options. Our goal is to create a beautiful, safe neighborhood of families living comfortably and affordably in Housatonic.



**Don't wait. Call TODAY to inquire.**

**413.442.3181 x2**

**or SCAN this QR code**



Work on the infrastructure for this property will begin in the fall of 2024. But we are already preparing for selection of homebuyers and finalizing home designs so NOW is the time to apply! Required financial education classes will soon open up.





# OR would you like to volunteer to help us with South County outreach?

If you would like to get involved to help out with this community project, we would love to have you as an individual, or your company organization join us for FUNDRAISING EFFORTS, EVENT PLANNING, FINANCIAL COACHING, and HOMEBUYER SELECTION COMMITTEES. Then in the spring of 2025, we'll be calling for individuals, organizations, and companies to help with CONSTRUCTION ASSISTANCE.

Please reach out for more info  
to our Volunteer Manager at  
413.442.31.81 x8 or  
[planner@berkshirehabitat.org](mailto:planner@berkshirehabitat.org)



## Come join us!





# Police Report for July & August

*Great Barrington police can be reached by calling 911 for an emergency or 528-0306. Police handle ambulance dispatch.*

*The department's website is [greatbarringtonpolice.com](http://greatbarringtonpolice.com) and its Facebook page is [facebook.com/GBPDMA/](https://www.facebook.com/GBPDMA/)*

*The station is at 465 South Main St.*

*Police officers wear cameras to help document investigations and incidents.*

*The department participates in the state Disability Indicator Program. Forms are at [mass.gov/doc/disability-indicator-form](http://mass.gov/doc/disability-indicator-form).*

The following is from the month's police report. THE NEWSletter identifies people who are arrested.

## July Report

A 14-YEAR-OLD FROM PITTSFIELD drowned at Benedict Pond on July 17.

Police Chief Paul Storti said in a news release that the Great Barrington and Monterey and fire departments and the Southern Berkshire Ambulance Squad responded.

Several people assisted in removing the victim from the water and CPR was immediately started, he said. The victim was transported to Fairview Hospital, but lifesaving efforts were unsuccessful. Detectives from the State Police detective unit assigned to the district attorney's office are investigating.

## Vehicle Collisions

ONE THREE-VEHICLE COLLISION and 20 involving two vehicles were reported during July, including five in which drivers left the scene.

Vehicles hit deer on Division Street and South Main Street. A fawn was reported hit on Pothul Drive but ran away.

A bear was hit on State Road. Someone's vehicle reportedly hit the Doctor's Building

Police stopped 74 vehicles during July, resulting in 61 citations/warnings issued and two arrests, listed below

## Radar on 16 Public Ways

Police ran radar 19 times on East Street during July, 17 times on East Sheffield Road and 15 times on Egremont Plain Road.

Also, Old Stockbridge Road, 14 times; 11, Taconic Avenue; eight each, North Plain Road and Main Street; seven, VanDeusenville Road; six each, Division Street and State Road;

Also, five each, Monument Valley and Stockbridge roads and Park Street; four, South Main Street; two, Fountain Pond; and once, Maple Avenue.

## Other Actions in Month

Also during July, police responded to a fight after a soccer game at Olympian Meadows and to three reports of possibly suicidal people.

They unlocked 12 cars. Archer, the comfort dog, was requested twice. He also went on foot patrol on Main Street.

Someone told a resident that her son had been arrested and collected \$9,000 for bail. It was a scam; there was no arrest.

## Cow, Bat and Bears, Bears, Bears

A cow was seen on Lake Buel Road. A bat was removed from a West Avenue apartment.

An injured bear on South Egremont Road was gone when police arrived.

A bear "that is not scared of humans" refused to leave a dumpster at 2 Bernard Gibbons Drive until it went into a tree, according to the police report.

A bear at Briarcliff Motel on Stockbridge Road was reportedly scaring guests. It left, then returned and looked in windows but was gone when police arrived. "Advised to call back if bear is breaking into suites," the police report states.

A bear took a bag of trash out of a car on Division Street and was "sitting there eating the trash, refusing to leave." It had left when police arrived.

A bear was in a dumpster on Rose Court.

## Arrests Made During July

Arrested during July were:

-Emily Joan Leventhal, Great Barrington, larceny over \$1,200 from Guido's.

-Nicholas Patrick Keene, South Egremont, trespass at Fairfield Inn.

-Elvis Izaquique, Great Barrington, protective custody.

-Alexandra Jon Tetto, Great Barrington, protective custody, causing disturbance at home.

-Richard Minacci, homeless, protective custody and, later, court-issued warrant.

-Joshua Simon Duplessis, Norfolk, Conn., protective custody, and then vandalizing jail cell.

-Maia Conty, homeless, trespass.

-Jun Keng Zhang, New York City, breaking and entering a building in the daytime for a felony, defacing property, larceny from a building, trespass, and receiving stolen property worth more than \$1,200.

## Fire Reports

### July

FIREFIGHTERS from the State Road station responded to 119 incidents during July. The Housatonic station responded to 13.

The incidents included a grass fire on Hollenbeck Drive; a car fire and extinguishing a small fire set off by fireworks.

They rescued someone from an air conditioning system at a Fairfield Inn. (He was arrested for trespass.)

They helped Southern Berkshire Ambulance Squad crews 67 times and responded to a total of 40 false alarms and a false call. The false alarms included six in two days at Flag Rock Village on 2 Bernard Gibbons Drive.

Firefighters answered 10 good intent calls, including opening a garage door to get to the car inside.

### August

During August, firefights from the State Road station responded to 117 incidents and the Housatonic station responded to 12.

They included a building fire on East Street and a reported fire on Silver Street that was smoke from a washing machine. No damage was reported in either incident.

They helped Southern Berkshire Ambulance Squad crews 58 times and assisted at a passenger vehicle fire and a motor vehicle accident, plus cleaning up after a collision.

They helped rescue a woman who fainted on a trail at Monument Mountain Reservation and was taken to Fairview Hospital.

Firefighters went to three gas leaks and 46 false alarms when alarms went off unintentionally or because of malfunction.

-Olivia Palermo Jurado, Egremont, shoplifting from Guido's and minor in possession of alcohol.

-Rebecca A. MacNeil, Great Barrington, driving uninsured and unregistered motor vehicle.

-Alberto Ruiz Gonzalez, Great Barrington, operating under influence of liquor; driving unlicensed, uninsured and unregistered motor vehicle; open container of alcohol in motor vehicle and minor in possession of alcohol.

-Tamara Curtis, Salisbury, Conn., protective custody.

-Melissa Davis, New York, shoplifting from Guido's.

-Liliana Perez-Lopez, Lake Katrine, N.Y., domestic assault and battery.

-Gabriel Rodrgis, Stockbridge, trespass at XtraMart, shoplifting.

-Brett Robert Simmons, homeless, protective custody and disturbance at public assembly.

-Jonathan Flematti, Great Barrington, domestic assault and battery.

-Jake Johnson, York, Maine, protective custody.

-Brandon Leonardo, Pittsfield, operating motor vehicle with suspended license.

-Emma Kales, Great Barrington, operating motor vehicle with suspended license.

(POLICE continues on page 10)

## Comfort Dog Archer Needs Upkeep Funds

The Great Barrington Police Department is seeking donations for Archer, its black Labrador whose job is to provide emotional support and comfort to victims of crime, community members in distress, and police officers facing traumatic situations in their line of duty.

"Archer plays a crucial role in offering a sense of calm and safety, helping to bridge the gap between law enforcement and the community," his handler, officer Sam Riva, said.

Archer made about 50 visits in 2023.

No tax dollars are used for Archer. Donations are needed for veterinary care, food, training and certification, supplies and equipment.

Contributions may be made by check payable to Great Barrington Police Comfort Dog Program and mailed to the police station at 465 Main St.

More information is available from Officer Riva at [sriva@townofgb.org](mailto:sriva@townofgb.org) or by calling him at 413-528-0306 x177.



## Recent Real Estate Transactions

**THE SOUTH-EASTERN Berkshire Registry of Deeds in the Great Barrington Town Hall and open from 8:30 a.m. to 4:30 p.m. weekdays. Documents are online at [www.masslandrecords.com](http://www.masslandrecords.com).**

*Following are recent transactions of \$35,000 or more in Great Barrington (including Housatonic), Egremont, Monterey, Alford & West Stockbridge.*

-TOPA Enterprises LLC to AM Management 2, 546 Main St., Great Barrington, \$200,000.

-Laurie Gilden Lindner to Bruce E. Fader & Adele E. Fader, 19 Burning Tree Road, Great Barrington, \$1.5 million.

-Jennifer Connell to Jane Christian Langmuir Foster, 36 Quarry St., Great Barrington, \$698,500.

-Blackwater Realty LLC to Kadin Shafiroff, unit 1, 261 State Road, Great Barrington, \$250,000.

-Charles M. Scielzo & Caroline G. Scielzo to Benjamin Zelinski & Katherine Zelinski, 278 & 280 North Plain Road, Great Barrington, \$743,000.

-Daniel J. Goldschmid, trustee, Goldschmid Nominee Trust, to Jared P. Boesse & Colin S. Levy, 49 Kalliste Hill Road, Great Barrington, \$407,500.

-Edward Goldsmith, Brenda Elling, estate of Ruth Bronz & estate of Ruth Adams Bronz to Lis Danielle, 3 Meadow St., Great Barrington, \$200,000.

-Kenneth I. Kupperman & Elizabeth S. Kupperman to Gregg Navins & Dana Forster-

Nevis, 172 Division St., Great Barrington, \$180,000.

-Harper Goldman Living Trust, Robert E. Harper & Deborah L. Goldman, trustees, to 14 Bidwell Realty Trust, John White, trustee, 14 Bidwell Road, Monterey, \$3,017,100.

-Melissa Loiadice-Walker to John Robert Colban & Elizabeth Colban Cary Coley, 19 Lenox Road, West Stockbridge, \$368,000.

-Patrick Rayball & Barbara Rayball to James F. Wright & Emily W. Sartor, 92 & 96 Baldwin Hill N/S, Egremont, \$755,000.

-Jonathan Hankin, trustee, Jonathan Hankin 2023 Trust, to Elizabeth J. McLaughlin & Kenneth A. Geremia, 41 West Plain Road, Great Barrington, \$675,000.

-Cloud Kingdom 2020 LLC to Two Mules LLC, 258 East Road, Alford, \$1.25 million.

-Frances Premerlani & John C. Korte, trustees, Korte Family Realty Trust, to Edward Harold Armstrong & Rachel Beth Armstrong, 15 Albany Road, West Stockbridge, \$340,000.

-Lynne R. Vadnais & Ronald J. Auger to Jeffrey Lawson & Susan Scott, 218 North Plain Road, Great Barrington, \$420,000.

-Brian S. Hazelton & Mariana Cicerchia to Amalia Feld, 26 Avery Lane, Great Barrington, \$405,000.

-Ronald P. Moriarty & Judith M. Moriarty to CMG Studio LLC, 5 Pleasant View Drive, Great Barrington, \$668,000.

-Mark Ferraro & Patricia Ferraro to Dsquared Lakehouse LLC & Sea Lakehouse LLC, 12 Sylvan Road, Monterey, \$970,000.

-Ronald J. Ronan & Karin C. Watkins to Britta Steilman, 7 Button Ball Lane, Egremont, \$1.122 million.

-Jeanne R. Chesanow, trustee, 28 Blue Hill Road Realty Trust, to Alexandra Z. Pappas, 28 Blue Hill Road, Great Barrington, \$275,000.

-Boston Symphony Orchestra to Adriana G. Rojas, 20 & 21 Birch Hill Road, West Stockbridge, \$1.45 million.

-Gerald A. Denmark, trustee, & Melvin Katsh 1992 Revocable Trust to DGGB LLC, 197 Main St., Great Barrington, \$1.35 million.

-Nicole Page to Laurel Katherine Nakadate & Hiram Frederick Moody III, 77 Grove St., Great Barrington, \$700,000.

-CG Grace Properties LLC to Donald Smick, 30 Prospect St., Great Barrington, \$821,500.

-Daniel A. Andrus & Susan M. Lukas to Joshua Carl Webb & Marguerite Borgny McCrae, 335 Main Road, Monterey, \$415,000.

-Donald R. Pulfer & Ruth Blair to John L. Griffith & Julia A. Porter, trustees, Griffith -Porter Family Trust, 11 Hickory Hill Road, Egremont, \$875,000.

-Jay A. Magee to Susan L. Magee, Robert V. Magee Jr., Laurie A. Magee & Andrew J. Magee, 57 Castle St., Great Barrington, \$140,000.

### Stockbridge

*The Middle Berkshire Registry of Deeds is at 44 Bank Row, Pittsfield. It is open from 8:30 a.m. to 3:59 p.m. weekdays. Documents are online at [masslandrecords.com/BerkMiddle/](http://masslandrecords.com/BerkMiddle/)*

-Jason J. Hogg, trustee, Martial Trust FBO Dorothy Hogg, to Daniel L. Bronson & Gena B. Bronson, 24 Lake Drive, Stockbridge, \$195,000.

## Building Permits for Projects More Than \$75,000

Great Barrington is part of a four-town building department with Lee, Lenox and Stockbridge. Building commissioner is Matthew Kollmer and building inspector is Rian Dowd. Their offices in the Town Hall are open weekdays from 8:30 a.m. to noon or by appointment.

The building inspector issues permits and inspects projects and is Great Barrington's zoning enforcement officer.

The telephone number is 528-3206.

### Inspectors; What Needs Permit

Other inspectors are gas, Robert Gennari at 274-0267; plumbing, Robert Krupski, 229-8019; and electrical, Theodore Piontek, 274-6605.

Permits are needed for siding, roofs, signs, foundations, fences, and temporary structures; to demolish structures; and to install chimney linings, alarm systems; new windows, wood stoves, insulation, sprinkler system, photovoltaics; tents, hot tubs;

Also, pools, spas, alarms, sprinklers, sheds, solar installations, and home occupations.

*Following are recent permits for projects valued at more than \$75,000 with the contrac-*

*tor, if not the homeowner, and estimated value of work:*

-David & Michael Gilmore, new roof, windows, plumbing, heating & electrical work at 228 East St., \$215,000.

-John & Carolina Baughmann, demolish nonstructural interior elements & install new ones at 24 & 30 Berkshire Heights Road, \$470,000.

--Jiminez Angel Espinoza, 39 roof-mounted solar panels at 4 Brook Lane, Steele Hudson, \$80,397.

-Shai & Sabrina Walker, build 2-story house with private workshop on first floor & living room on second floor at 30 Alford Road, \$303,800.

-Jeffrey C. Ramsey, new house at 12 Van Deusenville Road, Luke Schwartz, \$920,000.

-Lenox Landings Barrington, build 5-bedroom modular home & 2-car garage at 4 Thrushwood Lane, Mark William Giarusso, \$721,790.

-Lenox Landings Barrington, build 5-bedroom modular home at 6 Thrushwood Lane, Mark William Giarusso, \$721,790.

-HSR Properties, new decking & railings on siding at 117 State Road, Michael Brex, \$125,000.

-Toms Toys, replace 5 storefront windows at 293 Main St., \$190,000.

-Herb & Kathy Stanizewski, remodel, including extending mud room at 162 Christian Hill Road, Don Chartier, \$420,165.

-Justin Badger, replace windows, doors, flooring, kitchen cabinets & appliances, hot water heater, furnace & update bathroom at 65 Anderson St., Jay A. Feldman, \$109,500.

-Michael Brooks & Linda Shafiroff, build single-family home with attached garage & detached 2-car garage at 13 Londonderry Drive, Sarah Stiner, \$1,214,500.

-Jean Waggoner, repair & reroof 210 Pine St. North after hit by tree, \$78,000.

-National Grid, replace wood pole tower with self-supporting tower used for land mobile radio services at 927 Main St., \$125,000.

-Fairview Hospital, new roofing system at 29 Lewis Ave., Wooliver Roofing, \$315,650.

-202 Hardyman Family Irrevocable Trust, install 7 ground-mounted dual-axis solar tracker system at Map 33 Lot 61AB Seekonk Road, Thomas Torrico, \$438,000.

# Police Report continued from page 9

## August Report

Police stopped 81 motor vehicles during August, resulting in 75 citations/warnings and two arrests, listed below.

Twenty-two two-vehicle collisions were reported, including two hit-and-runs. One car and a deer collided. A tree fell on a vehicle's roof.

Police unlocked 17 vehicles. Two people visited Archer, the comfort dog, in the police station and he visited Railroad Street during a Berkshire Busk performance.

Police ran radar 19 times on East Street; 12 times each on Old Stockbridge and Egremont Plain roads;

Also, 11 times, Main Street; 10, Taconic Avenue; eight, State Road; seven, North Plain Road; and six each, Van Deusenville and Stockbridge roads.

Also, four, East Sheffield and Monument Valley roads and Division Street; two each Alford Road and Park Street; and once each, Seekonk Avenue.

## Also During August

A man who was stopped at Monument Mountain Reservation said he objects to Pride flags on state land so he took them last year and tried to do that again this year.

Police responded to five reports of possibly suicidal people.

Someone thought a dog had been taken from a car. However, it was found hiding under a seat.

A garage back door was kicked in on South Main Street and some items taken.

A sick-looking fox was reported on South Street.

## Arrests During August

Arrested during August were:

-Sergio Domingue Munoz, Pittsfield, marked lanes violation, unlicensed vehicle and operating under influence of liquor.

-Averie Alexander Boyer, Housatonic, operating with suspended license.

-Lydia Witt McBride, Mount Washington, operating with suspended license.

-Lana Israel, Great Barrington, uninsured and unregistered motor vehicle, negligent operation of a motor vehicle and speeding.

-Brett Robert Simmons, Lee, disorderly conduct, protective custody, court-issued warrants, assault with a dangerous weapon, and threat to commit crime.

-Ian Tyrel Graham, Great Barrington, court-issued warrant.

-Timothy Ward, Lee, protective custody.

-Richard Phillip Blakely, Becket, protective custody, prisoner vandalize jail.

-Stacy Young, Great Barrington, operating uninsured motor vehicle.

-Leanna Marie Beebe, Pittsfield, operating uninsured motor vehicle.

-Nicole Elizabeth Trombly, Saranac Lake, N.Y., larceny over \$1,200 by single check and forgery of check.

-Nixon Alfredo Cardozo, Bronx, N.Y., larceny over \$1,200, unlicensed operation of motor vehicle, shoplifting of \$250, number plate violation to conceal identification/

-Keiver David Gomez-Garcia, Manhattan, N.Y., larceny over \$1,200, shoplifting.

*(Police issued a news release about the arrests of Mr. Cardozo and Mr. Gomez-Garcia after the alleged incidents at Tractor Supply.)*

-William Ernest Reudgen, Canaan, Conn., assault and battery with a dangerous weapon and negligent operation of a motor vehicle.

-Leslie Morehouse, Unionville, Pa., shoplifting more than \$250.

-Eduardo Llaguno Cruz, Great Barrington, court-issued warrant.

# Recent Obituaries

THE NEWSletter unfortunately lacks the space to include all details and all survivors.

Finnerty & Stevens has stopped sending obituaries to THE NEWSletter. I don't know why.

I've twice requested obituaries through the request form on its website and have written the funeral home asking why the obituaries stopped sending them. No obituaries and no explanation have been received.

I've never charged for an obituary, and never encountered this before in the 33 years I've been writing THE NEWSletter. But anyone wanting an obituary from Finnerty & Stevens should request it from the funeral home. -EWM

## Margaretha Arienti

Margaretha Ingrid Nana Olsen Arienti, 88, of Stockbridge died Aug. 25 at home.

She was born in Kastlosa, Sweden, and studied languages at Lunds Universitet and the Sorbonne before coming alone to the United States when she was 20. Once here, she travelled by bus from New Jersey to San Francisco, where she met Thomas M. Arienti of Great Barrington, an Air Force captain stationed in California.

They married in 1958 and settled in Stockbridge.

Mrs. Arienti taught physical education at Berkshire Country Day School before earning a master of arts in educational psychology from American International College. She was an educational psychologist for

many years at BCDS and with her own practice.

Mrs. Arienti leaves five children, Cecilia Wilkinson, Mark Arienti, Per Arienti, Elizabeth Sloane and Nicholas Arienti; seven grandchildren; and her sister, Gunilla Scher of Raab, Sweden.

She was predeceased by her husband of 58 years.

Birches-Roy Funeral Home handled arrangements, to include a celebration of life in early October.

Memorial donations are suggested to the Alzheimer's Association of HospiceCare in the Berkshires.

## William D. Holliday

William D. Holliday, 78, of Great Barrington died Aug. 21 at Baystate Medical Center.

He was born in Wichita, Kans. After graduating from high school, he served in the Navy in Vietnam and then for many years was a computer technician manager for Hewlett Packard.

Mr. Holliday leaves his wife of 50 years, the former Carole Mullaney; a brother, Robert Holliday of Wichita; and two sisters, Katherine Potenski of Clearwater, Kans., and Judy Kane of San Francisco.

Birches-Roy Funeral Home handled arrangements, which included burial with Military Honors.

## Christopher Malcomson

Christopher Malcomson, 88, of Great Barrington died at home Aug. 6.

He was born in Liverpool, England. When Germany began bombing British cities in 1940, he was sent to live in Bath with his grandmother and then to Huyton Hill School near Windermere in the north of England.

He received his early education at Bootham School, a private Quaker senior and boarding school in York, and earned a degree in engineering at Loughborough College in England.

He was a structural engineer with F.J. Samuely Ltd. for 30 years. His projects included St. Thomas Hospital and the BT Tower in London and stadiums, parking garages and commercial high-rise buildings throughout England.

In 1991, he enrolled at Chelsea Art School. He also worked with Beryl Pogson, where he learned glass engraving and made mosaics and pottery.

After living in Wilmington, Del., and Philadelphia, he and his wife relocated to Great Barrington, where they both had art studios. They also had a winter home in Puerto Rico.

Mr. Malcomson leaves his wife of 20 years, the former Virginia Bradley; and his children, Hettie Malcomson, Nicholas Malcomson and Bim Malcomson, and two grandchildren, all in the United Kingdom.

Birches-Roy Funeral Home handled arrangements. A celebration of his life will be Sept. 22 at his home.

Memorial donations are suggested to Berkshire Pulse.



# TOWN OF GREAT BARRINGTON



## BOARD OF HEALTH

### ORDER TO CORRECT

M.G.L. c. 111, §§ 122, 123

### EFFECTIVE IMMEDIATELY

August 22, 2024

Name of Business/Landowner/Individual:  
(Hereafter referred to as "Respondent")

Housatonic Water Works Company

Address of Business/Landowner/Individual:

80 Maple Avenue  
Great Barrington, MA 01230

The Great Barrington Board of Health, (hereafter referred to as the "Board") acting under the authority of G. L. c. 111, §§ 122, 123, hereby issues this **ORDER TO CORRECT ("ORDER")**, to the Respondent identified above, for the reasons stated herein.

**WHEREAS**, Respondent, Housatonic Water Works Company, is a privately owned public water supplier serving, *inter alia*, certain residents of the Town of Great Barrington.

**WHEREAS**, In Massachusetts, public water suppliers have specific duties and responsibilities to their customers, governed by state laws and regulations, to ensure the safety, reliability, and quality of water services. The Respondent has the following duties, without limitation:

1. **Water Quality and Safety:** Public water suppliers must comply with the Massachusetts Drinking Water Regulations (310 CMR 22.00) and the Safe Drinking Water Act. The Respondent is required to regularly test its water supply for contaminants, including bacteria, chemicals, and other harmful substances, and must ensure that the water it supplies meets or exceeds the health-based standards set by the U.S. Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection (MassDEP).

2. **Public Notification and Reporting:** The Respondent is required to notify customers about any violations of drinking water standards, significant changes in water quality, or issues that may pose a health risk. Included within this requirement, the Respondent

must provide annual Consumer Confidence Reports (CCRs) that inform customers about the quality of their drinking water, including information on detected contaminants and compliance with drinking water regulations.

3. *Emergency Response and Preparedness:* The Respondent is required to have emergency response plans in place to address situations such as natural disasters, contamination events, or other emergencies that could affect water quality or supply.

4. *Infrastructure Maintenance and Improvements:* The Respondent is responsible for maintaining and upgrading the water supply infrastructure, including treatment facilities, storage tanks, and distribution systems, to ensure the continued delivery of safe and reliable water.

5. *Customer Service and Communication:* The Respondent is required to provide adequate customer service, including responding to customer inquiries, handling complaints, and providing information about water service, rates, and quality. This obligation also includes the requirement to communicate clearly to customers about service interruptions, boil water advisories, and other important water service notices.

6. *Regulatory Compliance:* The Respondent is required to adhere to all applicable state and federal regulations, including environmental laws and public health standards.

These duties are intended to protect public health and ensure that the public water supplier's customers have access to safe, reliable, and high-quality drinking water.

**WHEREAS,** MassDEP oversees and enforces compliance with these requirements.

**WHEREAS,** It is within the purview and authority of the Board of Health to act in the interest of protecting the citizens of the Town by making reasonable health regulations and enforcing the Nuisance Statute, G.L. c. 111, § 122; and the protection of public health is within the police power of a municipality to protect the health, safety and welfare of its residents. (*Druzik et al. v. Board of Health of Haverhill*, 324 Mass. 129 (1949))

**WHEREAS,** the Board has based this **ORDER** on the consideration of a sound body of scientific evidence including reliable scientific studies, papers and anecdotal reports as set forth in "Attachment A, Scientific Literature and sources that were reviewed in support of Order to Correct in the Housatonic Water Works matter."

**WHEREAS,** there are a number of residents of the Town of Great Barrington who are water supply customers of the Respondent and whose water supply is potentially contaminated, discolored, contains as-of-yet insufficiently defined amounts of potentially neurotoxic manganese, potentially carcinogenic levels of haloacetic acids (commonly referred to as HAA5), causing them to have a lack of potable water at various times, such conditions thereby subjecting residents of an Environmental Justice neighborhood (as designated by the Massachusetts Executive Office of Environmental Affairs) to a risk of long term and potentially fatal illnesses including cancer, manganism, and other diseases.

**WHEREAS,** haloacetic acids (HAA5) are a group of chemical compounds that can form as byproducts when disinfectants, such as chlorine, are used to treat drinking water. The group includes five specific acids: monochloroacetic acid, dichloroacetic acid, trichloroacetic acid,

monobromoacetic acid, and dibromoacetic acid. These compounds have been determined to be present in the water supplied by the Respondent in as-of-yet insufficiently identified quantities.

**WHEREAS**, the Board of Health finds that well documented health risks of HAA5 exposure include the following:

1. **Cancer Risk:** Long-term exposure to high levels of HAA5 has been associated with an increased risk of cancer. Specifically, some of the haloacetic acids, like dichloroacetic acid and trichloroacetic acid, have been linked to an increased risk of liver cancer and other cancers in animal studies.
2. **Reproductive and Developmental Effects:** Studies suggest that exposure to HAA5 may affect reproductive and developmental health. For example, certain haloacetic acids have been associated with potential reproductive toxicity and developmental effects, such as birth defects.
3. **Liver and Kidney Damage:** Prolonged exposure to elevated levels of HAA5 may cause liver and kidney damage. Some haloacetic acids are known to cause liver enlargement and other liver issues in animal studies.
4. **Other Health Effects:** There may also be other non-cancer health effects associated with long-term exposure to HAA5, including potential effects on the nervous system and other organs.

**WHEREAS**, to mitigate these risks, the EPA has established a Maximum Contaminant Level (MCL) for HAA5 in drinking water. The MCL for HAA5 is set at 0.060 milligrams per liter (mg/L) or 60 parts per billion (ppb). Public water systems are required to regularly monitor HAA5 levels and take corrective actions if the MCL is exceeded, in order to protect public health. (Refer to 310 CMR 22.00)

**WHEREAS**, manganese is a naturally occurring element found in many water sources. While it is an essential nutrient at low levels, necessary for proper bodily functions, elevated levels of manganese in drinking water can pose health risks. The risks associated with manganese in drinking water include:

1. **Neurological Effects:** There are scientifically well documented differences in health risk among adult and pediatric populations.
  - a. **Adults:** Long-term exposure to high levels of manganese can affect the nervous system. In particular, it can lead to symptoms similar to Parkinson's disease, such as tremors, difficulty walking, and facial muscle stiffness. This condition is sometimes referred to as manganism.
  - b. **Infants and Children:** Young children, including infants, are more susceptible to the effects of manganese. Elevated levels can impact neurological development, potentially leading to learning and behavioral issues.
2. **Cognitive and Behavioral Effects:** Studies suggest that high manganese exposure may be associated with lower IQ scores and impaired memory and attention in children. The developing brain is particularly vulnerable, making early childhood exposure a significant concern.



3. **Other Health Effects:** While the primary concern is neurological, excessive manganese intake may also affect other bodily systems. For example, it could potentially lead to liver and kidney issues, although this is less well-documented compared to neurological effects.
4. **Other Issues:** High levels of manganese can cause discoloration of water, turning it a brownish color, and can stain laundry and plumbing fixtures. This can cause a nuisance and cause concern among consumers.

**WHEREAS**, to mitigate the risks from exposure to manganese in drinking water, the EPA has set a secondary maximum contaminant level (SMCL) for manganese at 0.05 milligrams per liter (mg/L) or 50 parts per billion (ppb) to manage aesthetic issues such as taste, color, and staining. However, the EPA also suggests that levels should not exceed 0.3 mg/L for short-term exposure (up to 10 days) and recommends even lower levels for long-term exposure, especially for infants.

The EPA has set a lifetime health advisory level for manganese in drinking water at 0.3 mg/L for adults and a more protective level of 0.05 mg/L for children younger than six months.

**WHEREAS**, while low levels of manganese are essential for health, elevated concentrations in drinking water can pose significant risks, particularly to vulnerable populations such as infants and young children. Regular monitoring and treatment can help manage and reduce these risks.

**WHEREAS**, the medical term, "Weathering," refers to the cumulative impact of chronic stress, particularly from forms of social disadvantage, on the physical and mental health of individuals over time. According to the medical and scientific literature, this condition is the result of repeated exposure to stressors, particularly those related to systemic inequalities, accelerates the aging process and leads to premature decline in physical health. This can manifest in a variety of ways, including increased risk and incidence of chronic diseases like hypertension, diabetes, and heart disease, as well as poorer birth outcomes for women, such as higher rates of infant mortality and low birth weight. Those so affected may experience accelerated aging and earlier onset of chronic health conditions compared to unaffected persons, largely due to the chronic stress associated with the challenges presented by the triggering mechanism, such as chronic exposure to hazardous substances, such as drinking water that is perceived as unfit for consumption in a household. These conditions, illnesses and social situations are all part of a public health crisis within the purview of the Board and subject to the nuisance jurisdiction of Massachusetts Boards of Health.

**WHEREAS** Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts provides the people with a right to clean water.

**WHEREAS**, G.L. c. 111, § 122 provides, in relevant part: "The board of health shall examine into all nuisances, sources of filth and causes of sickness within its town, ... which may, in its opinion, be injurious to the public health, shall destroy, remove or prevent the same as the case may require, and shall make regulations for the public health and safety relative thereto and to articles capable of containing or conveying infection or contagion or of creating sickness

brought into or conveyed from the town .... Whoever violates any such regulation shall forfeit not more than one thousand dollars."

**WHEREAS**, it is the determination and opinion of the Board of Health of the Town of Great Barrington (Board) that the Respondent has failed to protect the public health of its customers and others exposed to its public water supply through reasonable means, thereby creating a public health nuisance.

**WHEREAS**, at its meeting held on August 8, 2024, after a discussion and deliberation were conducted in an open meeting, at which the Board heard testimony of 18 members of the public, and considered certain technical advice and input from a consultant duly licensed by the Commonwealth as a Drinking Water Supply Facilities Operator, and upon consideration of the various scientific, regulatory, and anecdotal evidence and information available to it, together with its past and current experience with test results and other reports, the Board voted its determination and opinion that Respondent is perpetuating a public health nuisance by operating a public water supply system in a manner that presents a present and future risk to the public health of the residents of Great Barrington, and is in contravention of Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, which specifically gives the people of the Commonwealth "[t]he right to clean ... water ... and the protection of the people in their right to conservation, ... of the ... water... and other natural resources."

**WHEREAS**, at its meeting held on August 15, 2024, a continuation of the discussion and deliberation begun at the Board's meeting of August 8, 2024 was conducted in an open meeting, at which time the Board received counsel from Town Counsel, received input from the Director of Strategies for the Massachusetts Association of Health Boards, received input from counsel for Respondent, and then heard a statement from an officer of the Respondent, James J. Mercer, Treasurer and Director. At the same meeting, the Board received 10 testimonial statements from 8 members of the public, and considered certain technical advice. Upon consideration of the various scientific, regulatory, and anecdotal evidence and information available to it, together with its past and current experience with test results and other reports, the Board set the date of August 22, 2024, for a vote upon a determination and opinion that Respondent is perpetuating a public health nuisance by operating a public water supply system in a manner that presents a present and future risk to the public health of the residents of Great Barrington, and is in contravention of Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, which specifically gives the people of the Commonwealth "[t]he right to clean ... water ... and the protection of the people in their right to conservation, ... of the ... water... and other natural resources."

**WHEREAS**, at its meeting held on August 22, 2024, the Board voted to adopt this **ORDER**, which reflects revisions from the draft orders reviewed at the August 8 and August 15 meetings.

**WHEREAS**, it is the determination and opinion of the Board that selective testing of the water supplied and distributed by Respondent, in intervals and locations selected by Respondent or its agents, at which locations representatives of the Respondent, including senior management and/or owners, are present may produce subjective, and scientifically unreliable data as to the

quality, potential health risks and aesthetics of the water supplied and distributed by Respondent, and that such testing is, thereby, unreliable and/or inappropriate.

**WHEREAS**, it is the determination and opinion of the Board that the continued distribution of public water supply by Respondent, without adequate, independent, third-party monitoring for contaminants, toxic substances, compounds, and/or solvents, constitutes a nuisance under and within the scope of G.L. c. 111, §§ 122 and 123, which may be injurious to the health of the customers of Respondent and other users of water supplied by Respondent.

**WHEREAS**, in addition, it is the determination and opinion of the Board that the distribution of contaminated water by a Public Water Supplier, such as Respondent, may constitute a violation of the Federal Safe Drinking Water Act, 42 U.S.C. c.6A; various federal regulations including, without limitation, 42 C.F.R. Part 141 (National Primary Drinking Water Regulations); and the *Standards and Guidelines for Contaminants in Massachusetts Drinking Waters* (Winter 2020, <https://www.mass.gov/doc/2020-standards-and-guidelines-for-contaminants-in-massachusetts-drinking-waters/download>), as well as other applicable statutory and regulatory provisions.

**NOW, THEREFORE,**

Pursuant to G.L. c. 111, §§122, 123, Respondent is hereby **ORDERED TO CEASE AND DESIST** from violating the above-described Constitutional protections, laws and regulations, and from creating and/or furthering a public health nuisance.

And, Respondent is hereby **ORDERED** to appear before the Board at its next regular meeting, September 5, 2024, or at an earlier date, upon reasonable notice thereof, if such a special meeting is convened, in order to establish a timetable for retaining a water systems operating consultant and an independent testing laboratory (Laboratory) of the Board's choosing, and which is certified by the Mass DEP, to begin a program of testing of the water supplied by Respondent, the frequency, duration and extent of which is to be determined by the Board upon the advice of said Laboratory and consultant, to be carried out at the expense of the Respondent for a period of time to be determined by said Laboratory and consultant or until such time as the Board has determined that the water supplied by Respondent either does or does not constitute a continuing risk to the public health of the customers of Respondent in Great Barrington.

It is **FURTHER ORDERED** that, after the initial testing, based upon sound reasoning and the results of the initial baseline testing, such tests shall be conducted at intervals and locations determined by the consultant or an agent of the Board, with not more than ten days from and after the preceding test. In the event that a test sample is taken at a residence or business, there shall be a corresponding test taken at the source of that supply, to be delivered to the testing laboratory simultaneously. In the event of any deviation from the schedule established hereunder in the absence of a declared weather-related emergency or by permission of an agent of the Board, Respondent shall be subject to a penalty of up to One Thousand Dollars (\$1,000.00) per calendar day until such subsequent test is conducted.

1. It is **FURTHER ORDERED** that no employee or agent of Respondent may impede or otherwise interfere with the collection or analysis of any testing sample taken on the property owned or controlled by Respondent.
2. It is **FURTHER ORDERED** that said samples may be collected in accordance with generally accepted laboratory practices by an agent of the Board and transported to the Laboratory's testing facility by that or another agent of the Board. The agent(s) of the Board shall maintain "chain of custody" documentation.
3. It is **FURTHER ORDERED** that the Respondent provide each household within the Town of Great Barrington that is a water service customer of the Respondent, and which so desires, with an alternative supply of safe, potable water, through the distribution and supply of bottled water in containers which are larger than "single use containers" yet of such size as can be safely handled by the end user taking physical condition and ability of said end user into account, on a daily basis, and an adequate means of dispensing said water, within 7 days of this **ORDER** and at the expense of the Respondent, until further order of the Board. Such distribution shall consist of a supply of water equal to or greater than 1.5 gallons per day, per inhabitant in each such household. The distribution shall be accomplished in such a way as to allow easy access to the supply by each such household with a minimum of inconvenience.
  - a. In the event of a violation of this condition, the Respondent shall be subject to a penalty of up to \$1000.00 per day. The Board deems a violation as to any one household on any day to be a separate violation, subject to a separate penalty for each such household.
4. It is **FURTHER ORDERED** that Respondent shall designate and provide a means of 24 hours per day, seven days per week, communication, for the Board's Health Agent or other duly appointed and designated agent of the Board, as well as the Laboratory, to contact a duly authorized agent or employee of said Respondent in the event of any emergency or violation of the terms of this **ORDER**.
5. It is **FURTHER ORDERED** that Respondent, its designated agent, employee or attorney, shall attend any meeting of or with the Board upon reasonable notice from the Health Agent or the Board requesting such attendance.
6. It is **FURTHER ORDERED** that Respondent shall submit a work plan with date milestones for compliance with all of the terms of this within 14 days of the date of this **ORDER**.
7. It is **FURTHER ORDERED** that Respondent shall document, on a daily basis, all work performed for purposes of compliance with this **ORDER**, and supply that documentation to the Board every 7 days. If such report date falls on a weekend or holiday, it is to be rendered the following business day.



8. It is **FURTHER ORDERED** that Respondent shall appear before the Board at each of its regular meetings, notice of which shall be provided, to report on the progress and the expected date of completion of the actions taken for purposes of compliance with this **ORDER**.
9. It is **FURTHER ORDERED** that Respondent shall provide the Board with written notice of any circumstances or conditions of which Respondent becomes aware and which may impair Respondent's ability to comply with this **ORDER**, so the Board may take reasonable and appropriate action in response.
10. It is **FURTHER ORDERED** that, except as otherwise provided herein, Respondent shall be subject to a penalty of up to One Thousand Dollars (\$1,000.00) per calendar day for any violation of this **ORDER**.
11. It is **FURTHER ORDERED** that service of this **ORDER** on the Respondent will be completed within 24 hours of the said vote of the Board of Health on August 22, and all dates and deadlines for performance of conditions in this **ORDER** will be effective upon service.

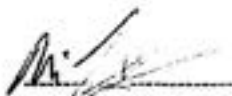
**ENFORCEMENT:**

The Board or its Health Agent may be assisted by the Massachusetts Department of Public Health and the Department of Environmental Protection for matters that fall within the statutory purview of those departments, together with local Police or State Police in the enforcement of this **ORDER**.

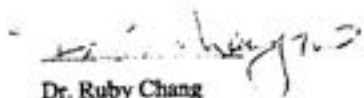
**APPEAL:**

If you are aggrieved by this **ORDER**, you have the right to request a hearing before the Board. This request must be made by you, in writing, and filed within seven (7) days after the date this **ORDER** was served on, or actually received by, you. Any affected party has a right to appear at said hearing.

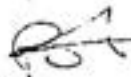
**SO ORDERED**, by the Board of Health, this 22nd day of August, 2024.



Michael Lanoue,  
Chair



Dr. Ruby Chang



Peter Stanton,  
Vice Chair

### **Attachment A**

Scientific Literature and sources that were reviewed in support of  
Order to Correct in the Housatonic Water Works matter.

#### **MANGANESE Primary Sources:**

Banta RG, Markesbery WR. Elevated manganese levels associated with dementia and extrapyramidal signs. *Neurology*. 1977;27:213-216.

Adinolfi M. The development of the human blood-CSF-brain barrier. *Dev Med Child Neurol*. 1985;27(4):532-537.

Barnes DG, Dourson M. Reference dose (RfD): Description and use in health risk assessments. *Regul Toxicol Pharmacol*. 1988; 8(4):471-486.

Aschner M, Aschner JL. Manganese transport across the blood-brain barrier: relationship to iron homeostasis. *Brain Res Bull*. 1990;24:857-860.

Alarcón OM, Reinosa-Fuller JA, Silva T, et al. Manganese levels in serum of healthy Venezuelan infants living in Mérida. *J Trace Elem Med Biol*. 1996;10:210-213.

Brurak H, Schjott J, Berg K, et al. Manganese and the heart: Acute cardiodepression and myocardial accumulation of manganese. *Acta Physiol Scand*. 1997;159:33-40.

Beuter A, Edwards R, de Geoffroy A, et al. Quantification of neuromotor function for detection of the effects of manganese. *Neurotoxicology*. 1999;20:355-366.

Calabresi P, Ammassari-Teule M, Gubellini P, et al. A synaptic mechanism underlying the behavioral abnormalities induced by manganese intoxication. *Neurobiol Dis*. 2001;9:419-432.

Bast-Pettersen R, Ellingsen DG, Hetland SM, et al. Neuropsychological function in manganese alloy plant workers. *Int Arch Occup Environ Health*. 2004;77:277-287.

Bouchard M, Mergler D, Baldwin M. Manganese exposure and age: Neurobehavioral performance among alloy production workers. *Environ Toxicol Pharmacol*. 2005;19(3):687-694

Aschner M, Dorman DC. Manganese: Pharmacokinetics and molecular mechanisms of brain uptake. *Toxicol Rev*. 2006;25(3):147-154.

Bouchard M, Laforest F, Vandelac L, et al. Hair manganese and hyperactive behaviors: Pilot study of school-age children exposed through tap water. *Environ Health Perspect*. 2007; 115:122-127.

Kim Y, Kim BN, Hong YC, Shin MS, Yoo HJ, Kim JW, Bhang SY, Cho SC. Co-exposure to environmental lead and manganese affects the intelligence of school-aged children. *Neurotoxicology*. 2009 Jul;30(4):564-71. doi: 10.1016/j.neuro.2009.03.012. Epub 2009 Apr 14.

Farias AC, Cunha A, Benko CR, et al. Manganese in children with attention-deficit/hyperactivity disorder: Relationship with methylphenidate exposure. *J Child Adolesc Psychopharmacol*. 2010;20(2):113–118.

Claus Henn B, Schnaas L, Ettinger AS, et al. Associations of early childhood manganese and lead co-exposure with neurodevelopment. *Environ Health Perspect*. 2011.

Hernandez-Bonilla D, Schilman A, Montes S, et al. Environmental exposure to manganese and motor function of children in Mexico. *Neurotoxicology*. 2011;32(5):615–621.

Menezes-Filho JA, Novaes Cde O, Moreira JC, et al. Elevated manganese and cognitive performance in school-aged children and their mothers. *Environ Res*. 2011;111(1):156–163.

Kim Y, Bowler RM, Abdelouahab N, et al. Motor function in adults of an Ohio community with environmental manganese exposure. *Neurotoxicology*. 2011;32(5):606–614.

Bouchard MF, Sauve S, Barbeau B, et al. Intellectual impairment in school-age children exposed to manganese from drinking water. *Environ Health Perspect*. 2011;119(1):138–143.

Brna P, Gordon K, Dooley JM, et al. Manganese toxicity in a child with iron deficiency and polycythemia. *J Child Neurol*. 2011;26(7):891–894.

Williams M, Todd GD, Roney N, Crawford J, Coles C, McClure PR, Garey JD, Zaccaria K, Citra M 2, Toxicological Profile for Manganese, Agency for Toxic Substances and Disease Registry (US), Atlanta (GA), 20 Sep 2013.

Zoni S, Lucchini RG. Manganese exposure: cognitive, motor and behavioral effects on children: a review of recent findings. *Curr Opin Pediatr*. 2013 Apr;25(2):255–60. doi: 10.1097/MOP.0b013e32835e906b.

Geir Bjørklund, Max Stanley Chartrand, Jan Aaseth, Manganese exposure and neurotoxic effects in children, *Environ Res*. 2017 May;155:380–384. doi: 10.1016/j.envres.2017.03.003. Epub 2017 Mar 10.

Bhang SY, Cho SC, Kim JW, Hong YC, Shin MS, Yoo HJ, Cho IH, Kim Y, Kim BN, Relationship between blood manganese levels and children's attention, cognition, behavior, and academic performance—a nationwide cross-sectional study. *Environ Res*. 2013 Oct;126:9–16. doi: 10.1016/j.envres.2013.05.006. Epub 2013 Jun 20.

Tung PW, Burt A, Karagas M, Jackson BP, Punshon T, Lester B, Marsit CJ., Prenatal exposure to metal mixtures and newborn neurobehavior in the Rhode Island Child Health Study. *Environ Epidemiol*. 2022 Jan 28;6(1):e194. doi: 10.1097/EE9.0000000000000194. eCollection 2022 Feb.

Gu Q, Liu J, Zhang X, Huang A, Yu X, Wu K, Huang Y., Association between heavy metals exposure and risk of attention deficit hyperactivity disorder (ADHD) in children: a systematic review and meta-analysis. *Eur Child Adolesc Psychiatry*. 2024 Aug 10. doi: 10.1007/s00787-024-02546-z. Online ahead of print.

### **HAA5 Primary Sources:**

Haloacetic Acids in Drinking Water, 8/22, 510 page source material, Pesticide and Environmental Toxicology Branch Office of Environmental Health Hazard Assessment California Environmental Protection Agency,  
<https://oehha.ca.gov/media/downloads/crm/haaphgsecdra081922.pdf>

Draft Report on Carcinogens Monograph on Haloacetic Acids Found as Water Disinfection By-Products, US DHHS Nat'l Toxicology Program, Office of the Report on Carcinogens Division of the National Toxicology Program National Institute of Environmental Health Sciences U.S. Department of Health and Human Services, 184 page report, 6/17

Parvez S, Ashby JL, Kimura SY, Richardson SD. Exposure Characterization of Haloacetic Acids in Humans for Exposure and Risk Assessment Applications: An Exploratory Study. *Int J Environ Res Public Health*. 2019 Feb 6;16(3):471. doi: 10.3390/ijerph16030471. PMID: 30736287; PMCID: PMC6388255.

Mass. DEP, Fact Sheet: Haloacetic Acids and Total Trihalomethane In Drinking Water Information for Consumers, <https://www.mass.gov/doc/factsheet-haloacetic-acids-and-total-trihalomethane-in-drinking-water-information-for-consumers/> 12/22

Elisabet Pérez-Albaladejoa, Raquel Pinteñoa, María del Carmen Aznar-Luquea, Marta Casadoa, Cristina Postigob, a, c, \* , Cinta Porte: Genotoxicity and endocrine disruption potential of haloacetic acids in human placental and lung cells, *Science of the Total Environment* 879 (2023) 162981

### **Weathering Primary Sources:**

Arline T. Geronimus, Margaret Hicken, Danya Keene, and John Bound: "Weathering" and Age Patterns of Allostatic Load Scores Among Blacks and Whites in the United States, *American Journal of Public Health* | May 2006, Vol 96, No. 5

Letang, S. K., Lin, S. S. H., Parmelee, P. A., & McDonough, I. M. (2021). "Ethnoracial disparities in cognition are associated with multiple socioeconomic status-stress pathways". *Cognitive Research: Principles and Implications*, 6(1), 1-17.

Weathering: What are the health effects of stress and discrimination? *Medical News Today*, 2/26/21, accessed at: <https://www.medicalnewstoday.com/articles/weathering-what-are-the-health-effects-of-stress-and-discrimination>.

*Weathering: The Extraordinary Stress of Ordinary Life in an Unjust Society.* Arline Geronimus, University of Michigan's Population Studies Center, by Little Brown in March 2023.



CLICKING ON THE LINKS IN THE PRINTED COPY WILL NOT WORK.



BERKSHIRE HILLS REGIONAL SCHOOL DISTRICT  
GREAT BARRINGTON • STOCKBRIDGE • WEST STOCKBRIDGE

## What's going on with the Monument Mountain High School Building Project?

The MMHS Building Committee invites you to learn more at an upcoming

### Information Session

**Meeting is hybrid; attend in-person or virtually**

- Project updates & upcoming milestones
- Design options being considered
- Construction phasing & schedule

**Tuesday, October 1, 2024 6:00 PM**

**District Office Professional Development Room  
50 Main Street, 2nd Floor, Stockbridge**

**Use the following QR code or link to stream the session virtually**



**<https://tinyurl.com/yszw3k8c>**

**Meeting#: 897 6749 8046 Password: 078981**

*To stay connected, learn more, and contact the team, visit our website:*

**<https://monumentbuildingproject.org/>**

**SKANSKA**

 **DINISCO DESIGN**

**WILLIAM RAWN ASSOCIATES**