

# THE NEWSletter

The Newsy Little Paper That Supplements Other Media

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## Selectboard Could Seek Interim Town Manager

WILLIAM RICCIO of Johnston, R.I., was offered the position of Great Barrington town manager and apparently was negotiating his contract when he decided not to accept.

Selectboard chairman Steve Bannon said an interim town manager may be sought. The board's next scheduled meeting is **Aug. 14**; it was not known at THE NEWSletter's deadline whether a special meeting will be held.

He said he was disappointed by Mr. Riccio's decision.

Chris Rembold has been acting as interim town manager. He had been assistant town manager and director of planning and community development and has continued in the director's position although he has only been paid as interim town manager.

Other town officials and residents have praised his work but noted that he had agreed to do this only on a temporary basis.

The town has been without a town manager since Mark Pruhenski left in January to start Jan. 15 as town manager of Middlebury, Vt.

Mr. Riccio has been director of public services for Newport, R.I., since November 2007. Earlier this year, he applied unsuccessfully for city manager of Palm Coast, Fla.

The five selectmen interviewed Mr. Riccio for an hour July 22 and voted unanimously two days later to offer him the position.

He had been scheduled to negotiate a Great Barrington contract with Bernard Lynch of search firm Community Paradigm when, on July 30, he notified Mr. Lynch that he was not going to accept the job.

Two other finalists had been interviewed in April and rejected by the selectmen.

(NEWS continues on page 3)

## Quote of The Issue

**Jake McCandless, principal of W.E.B. Du Bois Regional Middle School, read from the following statement during Principals' Update time of the Berkshire Hills Regional School Committee's July 24 meeting:**

"This will be my 32nd start to a school year as an educator, and my 27th as an administrator. Every one of those years I have seen as an opportunity to focus on being kind, being patient, and modeling the work ethic and care for people that I wanted those around me to emulate.

"This year, with so much we hold sacred about the nature of our Nation and its people under attack, working to ensure that all of our students and their families know they are important, they are welcome here, and we are honored to serve them is more important than ever.

"So too is to keep instilling hope and confidence in the worthiness of our mission and work as Berkshire Hills educators and families, even as many forces work to defund and erode trust in one of our Nation's most important and worthy institutions – the American Public School.

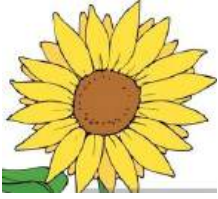
"We will work very hard at Du Bois in this upcoming year to constantly remind ourselves and our students and their families that love and respect are at the center of all we do, and no matter what happens, our work, which is so crucial to individuals, the community, and to our Nation and world, will continue and thrive."



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## Meetings & More Scheduled in August

MEETING AGENDAS are posted on the town's website at [townofgb-ma.gov](http://townofgb-ma.gov) (a new address) 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 Attorney General's Division of Open Government.

### Watch Past Meetings Online

Recordings of meetings are on Community Television for the Southern Berkshires at [ctsbtv.org](http://ctsbtv.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).

Town libraries and some town boards have their own website.

The Berkshire Hills Regional School District's website is at [bhrs.org](http://bhrs.org). The school district, town, Cultural Council, and police and fire departments also have Facebook pages.

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

### August

-Conservation Commission meets Aug. 6, 6:30 p.m.

-Planning Board meets Aug. 7 & 21, 6 p.m.

-Household Hazardous Waste Day is Aug. 9 from 9 a.m. to 1 p.m. at the Lee Wastewater Treatment Plant, 379 Pleasant St., Lee. Preregistration is required. To register, Ellie Lovejoy at 413-243-5540, ext. 108 or [ellie@tritownhealth.org](mailto:ellie@tritownhealth.org).

-Selectboard meets Aug. 11 & 25, 6 p.m.

-Finance Committee meets Aug. 12, 6 p.m.

-Berkshire Hills Regional School Committee meets Aug. 14 & 28, 6 p.m.

-Historic District Commission meets Aug. 21, 5:30 p.m.

-Affordable Housing Trust Fund board meets Aug. 27, 6:30 p.m.

## Libraries, Senior Center, Bus Services, Recycling

THE TOWN'S TWO LIBRARIES' website at [gblibraries.org](http://gblibraries.org) lists programs for many interests and different ages at both libraries. THE NEWSletter sends the libraries' monthly newsletter to its email list.

### Special Events at Mason in August

Special events at Mason Library include a staged play reading of "Livia: A Roman Tragedy" by Paul David Young Aug. 15 from 3 to 4 p.m.

"Demystifying Decluttering & Moving" with Emily Kloeblen will be Aug. 29 from 4 to 5:30 p.m..

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 [masonramsdel@gmail.com](mailto:masonramsdel@gmail.com) or [bark.cwmars.org](http://bark.cwmars.org). Wifi is available on both libraries' lawns and Mason's parking lot.

Museum passes are also available.

### 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.

### Ramsdell Library

Ramsdell Library on Main Street, Housatonic, is now open mornings until Sept. 29. Here are its expanded hours: Monday, Tuesday, Wednesday: 10 a.m. to 6 p.m.; closed Thursday and Friday; Saturday, 10 a.m. to 3 p.m.; Sunday, 1 to 4 p.m.

Its phone number is 274-3738.

Ramsdell's knitting group meets Tuesdays from 4:30 to 5:30 p.m.

Ramsdell has a loaning Library of Things that includes visual reality goggles, a sewing machine, a staple gun and a button maker.

\*\*\*

THE CLAIRE TEAGUE SENIOR CENTER at 917 South Main St. offers activities and fitness classes, lunches and help with technology and applications such as SNAP, housing, fuel assistance. and more. Its phone number is 528-1881.

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

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

SHINE, Serving the Health Insurance Needs of Everyone.

\*\*\*

SOUTH COUNTY CONNECTOR, fka Tritown Connector, bus service has a new website, [socoride.org](http://socoride.org).

The town transit program provides transportation for people who call 413-591-3826 at least 48 hours in advance.

With a Berkshire Taconic Community Foundation grant, the program offers free service until 11:30 p.m. Fridays for veterans, except for Pittsfield medical rides; and for seniors and people with disabilities needing transportation to local food pantries and free meal sites.

Berkshire Regional Transportation's website is at [Berkshirerta.org](http://Berkshirerta.org).

\*\*\*

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 listed at [townofgb.org/recycling-transfer-station](http://townofgb.org/recycling-transfer-station).

See calendar for Aug. 9 Household Hazardous Waste Day.

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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**, but having THE NEWSletter send the emails between issues is \$5 a year for each name.

-EWM

# Still No Town Manager; Permit Pending for Apartments



This screenshot of Mr. Riccio was taken during his interview.

A total of 24 applications had been received, including the three finalists.

Search committee members were former selectmen Ed Abrahams, Kate Burke, Peter Fish and Sean Stanton and residents Erik Bruun, Fred Clark, and Marie Ryan.

During his July 22 interview, Mr. Riccio said Newport and Great Barrington have parallels, including many second-home owners.

Asked what he would want to do in his first three months here, Mr. Riccio said:

"Ask a lot of questions — not to intimidate but to learn."

Two of his other comments:

A manager needs "to give people what they need to do their job, and then support them. ... You always have to be willing to try."

On the relationship between a town manager and a board of selectmen: "Communication. Communication. Communication. It's all about team."

His interview was recorded and should be on CTSBTV.com.

When the selectmen met July 24, Eric Gabriel said he was very impressed by the longevity Mr. Riccio had shown in other jobs.

"That is needed in Great Barrington" and "shows the kind of dedication we need," he said. Also, he added, he was "very impressed" by Mr. Riccio's comments about teamwork and "bringing silos down."

The other four selectmen agreed. The vote was unanimous on Mr. Gabriel's motion to ask Mr. Riccio to be the next town manager and have board chairman Steve Bannon begin negotiations on a contract.

## Was To Meet With Public But Didn't

In a memo to the board before the July 22 interview, Mr. Lynch of the search firm noted that while the public interview was at 5 p.m., Mr. Riccio would spend some time with board chairman Bannon and vice chairman Gabriel in the early afternoon and meet with town department heads at 3 p.m.

He would also, Mr. Lynch wrote, "be available to meet and greet any members of the community in attendance for his interview immediately thereafter."

However, that invitation to members of the community was not announced and Mr. Riccio left the July 22 meeting before citizens' speak, when residents could have asked him questions.

## What Job in R.I. Involves

The website of the American Public Works Association's New England Chapter states that Mr. Riccio's term as Rhode Island director ends this year.

The website notes that Mr. Riccio is responsible for managing administrative operations of planning, budgeting, capital project programming, and project management across multiple divisions, including engineering, facilities management, fleet operations, public works, solid waste and recycling, recreation, parks and grounds maintenance, and beach operations.

It adds:

"His work plays a crucial role in maintaining the City's historic charm while advancing modern sustainability and resiliency initiatives."

Mr. Riccio's letter of application and resume were sent to THE NEWSletter's email list before his interview.

\* \* \*

THE SELECTBOARD is expected to formally vote **Aug. 11** whether to grant a special permit to AM MGMT 2 LLC of Pittsfield for 21 market-rate rental apartments at the corner of 546 South Main St. and Mahaiwe Street.

Entrance to and exit from the development would be from Mahaiwe Street.

The selectmen went through required findings and possible conditions after closing the hearing at their July 21 meeting. Such findings, drafted by the town manager, are usually part of the meeting's packet but they were not this time.

Before the hearing closed, Susan Smith, whose law office is at 38 Mahaiwe, noted that the agenda's notice referred in part to Section 8.2, Accessory Dwelling Units, of

the town's Zoning Bylaw, and not the relevant 8.4, Mixed Use.

Ms. Smith and others also expressed concern about the scale of the housing, as well as safety and traffic on the street.

Claudio Shapiro, who does not live on the street, questioned whether the only non-residential use — an office for the project — enables it to qualify as a mixed use.

Selectman Gabriel thought the project would be self-regulating as people do not want to pay a lot when it's not what they want. He felt the town should regulate parking.

The project's engineer, Jim Scalise, said it was safer for tenants to enter the project from a side street, not Main Street.

Mr. Bannon suggested allowing only a right turn from Mahaiwe onto South Main but Mr. Scalise said that would be onerous to the applicant.

Fahd Zia, manager of AM, said rents will depend on construction costs and he does not yet have them. He suggested \$2,200 to \$2,700 a month.

Selectboard chairman Steve Bannon said he could understand why neighbors did not want to provide off-site parking for the project and he agreed with them.

He agreed with selectman Ben Elliott that the projects "feels overbuilding but allowed." Mr. Gabriel and Phil Orenstein also seemed to agree. Garfield Reed is not participating in this application.

A NEWSletter "Hello Folks" editorial about the project is on page 4.

## Gorham & Norton License Revoked

Also during the July 21 meeting, the selectmen rescinded the all-alcoholic package store license held by Gorham and Norton Inc. for 278 Main St.

The store, which also sold groceries and had a deli, closed Dec. 31. It was founded in 1911 and had been operated by the third generation of the Norton family.

The selectmen had allowed the license to be held after the store closed as John Norton was trying to sell it.

(NEWS continues on page 4)

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JOHN B. HULL, INC.

100 Main St. Great Barrington, MA

413-528-2800

## *Hello, Folks ...*

# Why Granting This Special Permit Would Be a Mistake

THE SELECTBOARD is scheduled to vote Aug. 13 on a special permit for 21 market-rate rental apartments at South Main and Mahaiwe streets, with the only entrance and exit off Mahaiwe.

Special permits, according to 10.4.2 Criteria of the town's zoning bylaw, shall be only if "the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood" and after "consideration of each of the following:

- "1. Social, economic, or community needs which are served by the proposal;
2. Traffic flow and safety, including parking and loading;
3. Adequacy of utilities and other public services;
4. Neighborhood character and social structures;
5. Impacts on the natural environment;
6. Potential fiscal impact, including impact on town services, tax base, and employment."

After closing the public hearings July 21, the four board members (Garfield Reed is not participating) seemed agreed that, as

Ben Elliott said, the proposed project is "overbuilding but allowed."

If it's "overbuilding," how is it appropriate to the special permit criteria? That's about as logical as my saying that I'm on a strict diet but the chocolate cheesecake is half price so it's okay to eat.

### Is It an Allowed Use?

And is it allowed? Mixed-use projects are allowed but is this a mixed-use?

The town's zoning bylaw defines "mixed use" as "A combination of uses in a building or on a lot where one of the uses is residential."

Section 9.11.1 gives the purpose of the Mixed Use Transitional zoning district (MXD) as "to preserve and enhance the mix of residential and retail uses, to maintain the existing character of the area, and to bring existing uses and structures more into compliance with the Zoning Bylaw, thereby facilitating a variety of business and housing opportunities within walking distance of the Town's downtown core."

### No Use Except for The Tenants

But the only use besides residential is an office to manage the site. It is not for people

who live elsewhere unless they're interested in renting a unit. How does that facilitate "a variety of business"? How does that enhance retail uses? How does that help the economy?

No lawyer for the town has been asked that question.

Pass the cheesecake, please.

### Do the Apartments Have a Market?

Not mentioned during either the public hearing for the special permit or the Planning Board's site plan review process is whether there is a market for the apartments.

Each apartment would have only one parking space, with no room for guest parking. Tenants would have no space to sit outside, grill or garden.

Yes, Great Barrington needs more housing. Most of the country does. But this project is requested for a use that might not be allowed, on an overbuilt lot with access and exit on a narrow street and no study of the effect on traffic or safety.

The developer might benefit. It's questionable whether the neighborhood and town would.

— Eileen Willner Mooney

## Selectboard, cont.; DEP Orders HWW To Build

Immediately after that license was revoked, an on-premises all-alcoholic license was granted to Steadfast 413, operating as Robbie's Community Market, in the renovated space.

Two liquor licenses can't be for the same space, under state Alcoholic Beverages Control Commission rules.

Also at their July 14 meeting, the selectmen:

-Changed the all-alcoholic on-premises license for The Well, 312 Main St., to its new owner;

-Added an outdoor alcohol service area for Mahaiwe Performing Arts Center, 20 Castle St.;

-Approved the all-alcoholic beverages on-premises license as collateral for Blunt Entertainment Group LLC, new owner of Crissey Farms at 426 Stockbridge Road.

During the July 28 meeting, which lasted only 18 minutes, the selectmen without discussion approved several requests for sewer abatements and a driveway permit for 19 Monument Valley Road.

They also reviewed updates to a recommended list for tree plantings from the Tree Committee.

Information about the applications is in the packets for the meetings, available on the town website, [townofgbma.gov](http://townofgbma.gov).

\* \* \*

THE STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION has ordered **Housatonic Water Works** to start building a manganese treatment plant "by no later than July 31, 2025."

The plant is to be finished by Dec. 1 and be operational "by no later than March 1, 2026."

That's according to an Administrative Consent Order with Penalty and Notice of Noncompliance signed July 14 by James Mercer, HWW treasurer, and Michael Gorski, MassDEP regional director.

(NEWS continues on page 5)

## 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, and Dunes Real Estate, South Carolina**

## How To Reach Officials

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 email is [Paul.Mark@masenate.gov](mailto:Paul.Mark@masenate.gov)

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

\* \* \*

STATE REP. LEIGH DAVIS is at 413-854-4623 or

[leigh.davis@mahouse.gov](mailto:leigh.davis@mahouse.gov).

Her aide, Serena Keenan, is at [sere-na.keenan@mahouse.gov](mailto:sere-na.keenan@mahouse.gov).



# DEP & HWW, cont.; Finance Committee

## Other Requirements in Order

The Order also requires that by **Aug. 15** of this year, HWW shall “install a water blow-off valve at the end of Wright Lane (a private way), provided that those owners grant access.”

Also by **Aug. 15**, HWW shall “identify to both the Great Barrington Board of Health and MassDEP any other sections of the water distribution network that currently lack flushing capability.

## Must Provide Filtered Water

HWW is also required to “offer to install a water-filter/treatment system at the Housatonic Community House or other municipal facility, subject to the Town’s acceptance of that offer.”

“If the Town accepts, Respondent shall provide and maintain that system at no cost to customers experiencing discolored water until such time as the manganese treatment plant is complete and operational, thereby ensuring access to water free of discoloration.”

## Keep Track of Water Complaints

HWW is also required to provide DEP and the town health board with special water samples and a log of all water-discoloration complaints.

By **Aug. 1**, HWW must provide “representative sampling of tap water at residential locations from which water discoloration complaints have been received.”

## What If Litigation Blocks Financing?

HWW had said it could not build the manganese plant because litigation by the Great Barrington Board of Health meant it couldn’t get financing.

The health board had directed HWW to retain a consultant for water testing and distribute bottled water to customers requesting it. The board then appealed a Superior Court’s preliminary injunction against that order.

## HWW Obligated Even If No Financing

DEP’s order gives conditions under which it will consider extending the deadlines. The order includes a statement that “Respondent acknowledges that lack of financing does not relieve its obligation to comply with all applicable statutory, regulatory, and permit obligations.”

Also, “Respondent agrees that any penalties assessed under this Consent Order will not be passed along to, or in any way covered by, its ratepayers.”

## Civil Penalty Assessed of \$12,360

The order assessed a civil administrative penalty of \$12,360 that MassDEP will suspend — but, the order states, “if Respondent violates any provision of this Consent Order, Respondent shall pay to the Commonwealth the full amount” within 30 days of receiving a written demand for payment.

The order states that MassDEP may seek additional civil administrative penalties or other relief. Another condition enables a penalty of “\$500 per day for each day, or

portion thereof, each such violation continues.”

## \$350,000 Federal Grant Awarded

HWW has a \$350,000 grant from the federal Environmental Protection Agency for the magnesium plant.

The plant could cost \$1.6 million, HWW estimated in its Water System Ten-Year Capital Improvement Plan (2024-2034), dated December 2024 and posted on its website at [housatonicwater.com](http://housatonicwater.com).

That would trigger a 39.68% rate increase effective **Aug. 1**, according to the “Proposed Rate Increases and Associated Capital Projects” in the Department of Public Utilities’ rate settlement dated July 31, 2024.

The settlement is on the DPU’s website, [mass.gov/orgs/departments-of-public-utilities](http://mass.gov/orgs/departments-of-public-utilities), under docket number 23-65.

## Water Quality Concerns DPU

The Department of Public Utilities on July 1 had issued an order dismissing opposition by Great Barrington, Stockbridge and West Stockbridge to its approval of new customer rates. The towns sought an investigation into the rates.

In its decision, DPU noted that HWW must comply with all directives in its order approving the settlement.

DPU “has serious concerns about the impact that a delay in the construction of the Manganese Filtration System project may have on the quality of water delivered to the Company’s customers,” it stated, adding:

“By the same token, we consider it essential for the Company to act swiftly to secure Department approval for the necessary financing, once the Company has obtained appropriate commitments from lender (s).”

THE NEWSletter sent the DPU order to its email list. The order is on the DPU website.

\* \* \*

FINANCE COMMITTEE member Milena Cerna is concerned about the **Berkshire Hills Regional School District**, which she said, has declining enrollment but increasing costs.

This fiscal year, Great Barrington’s assessment for the school’s operating budget is \$22,184,337 and the town’s operating budget is \$16,692,744, according to the town meeting warrant.

At the committee’s July 14 meeting, Ms. Cerna said she still does not understand all the district’s costs and expressed concern that federal and state funds could be cut.

This is an expensive area, people are struggling to pay bills and Simon’s Rock’s closing will affect us, she said.

She asked: “What can we do as a Finance Committee?”

Richard Geiler, the committee’s new chairman, said it is good to talk about this but the district’s finance subcommittee handles the budget.

Voters have the final say, Ms. Cerna told him, adding that she felt changes must be made in the operating budget. She knows it’s hard, she said, but she doesn’t know if the district is right-sized.

It’s a collaboration, Mr. Geiler said. The Finance Committee should have invited the district’s finance subcommittee to a meeting and attended subcommittee meetings, perhaps asked to be on an agenda, he suggested.

Ms. Cerna said she has talked to finance subcommittee chairman Rich Dohoney and plans to attend those meetings.

Mr. Geiler said the committee should also speak with the Stockbridge and West Stockbridge finance committees. (NEWSletter note: The school committee and administration used to present the proposed budget to those committees and the towns’ selectmen at a meeting for all three towns but did not do that this year.)

Also during the July 14 meeting, members reviewed information resulting in transfers for expenses before the fiscal year ended June 30.

Mr. Geiler said the committee should look at the budget every month.

(NEWS continues on page 7)

## Sign Up for Releases

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

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On the list are:

-1Berkshire, BEAT, Berkshire Agricultural Ventures, 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;

-Massachusetts Department of Elementary and Secondary Education; New Marlborough Meeting House; RSYP, Schumacher Center for a New Economics,

-Releases from area schools, including Berkshire Hills Regional, Lee, Lenox and Southern Berkshire Regional; 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.

# Dr. Du Bois Now Sits on Bench at Mason Library



*Dr. W.E.B. Du Bois now sits on a bench on Mason Library's front lawn as a statue by Richard Blake. The state was dedicated July 19 before an audience estimated in the hundreds. Dr. Du Bois was born Feb. 23, 1868, in Great Barrington and left to attend college. He received a doctorate from Harvard University and was a world-famous writer and a founder of the National Association for the Advancement of Colored People (NAACP). He died in Ghana in 1963.*

*During the Selectboard's July 21 meeting, selectman Garfield Reed, who is Black, stated that the dedication was "a proud moment for the African community of our town and a great achievement for the town of Great Barrington. It makes me proud to be a member of the Selectboard who had a small part in this project and it makes me proud to be a citizen of Great Barrington."*

**Following are two of the speeches made during the dedication.**

## *Statement by State Representative Leigh Davis*

Good afternoon, Great Barrington!  
What a glorious day!

Before I begin, I want to take a moment to personally thank Ari Zorn, Julie Michaels, and Dubois Thomas, whose hard work helped make this day a reality.

I also want to thank Senator Paul Mark — my friend and colleague, who is here with us today, for his support of this project at the State House.

A shout-out as well to my former colleagues on the Great Barrington Selectboard, alongside whom I had the privilege of working to move this project forward, as well as Joe Aberdale and the DPW staff.

And finally, I want to acknowledge the late Freke Vuijst and her husband, Daniel Klein, whose early vision for a Du Bois monument planted the seed that grew into this powerful moment. Thank you.

To start, I'd like to share an excerpt from a letter sent by Governor Maura Healey, who could not be here in person:

*Dear Friends,*

*On behalf of the Commonwealth of Massachusetts, Lieutenant Governor Driscoll and I extend our thanks to the citizens of*

*Berkshire County and the Town of Great Barrington for your dedication to this monument and your honoring of W.E.B. Du Bois's legacy.*

*His legacy resonates throughout the world, inspiring critical conversations around equity and dignity for all people. We also commend the work of sculptor Richard Blake.*

*This installation reminds us of the power of community mobilization and serves as a beacon of hope during trying times. Please accept our warm wishes to all in attendance.*

*Signed,*

*Governor Maura Healey and Lieutenant Governor Kim Driscoll*

As I look out into this crowd, I can't help but reflect:

The path to this day was not easy.

It took years of vision, partnership, and persistence because in this country, the road to honoring people of color is often long, and never without resistance.

But this community stayed the course. We stayed committed. Because:

- Remembrance takes time.
- Justice takes time.

- And progress takes all of us.

And now — here we are: In the hometown of W.E.B. Du Bois, unveiling a statue in his honor just down the road from where many of us stood five years ago, outside Great Barrington's Town Hall, rallying for justice after the murder of George Floyd.

That day, speaking to a crowd much like this one, I shared my own story publicly for the first time.

Born to an interracial marriage in the 1960s, at a time when that was still illegal in many states, I was raised between two worlds: Black and white.

My father, a proud Black man from the South Side of Chicago, taught me to stand tall in both. My father would go on to lead the national campaign to make Dr. Martin Luther King Jr.'s birthday a federal holiday.

And on a personal note, it means so much to be here today with Imari Paris Jeffries, whose Embrace monument celebrates the love and legacy of Dr. King and Coretta Scott King, whom my father was proud to call a dear friend.

**(Dr. Du Bois continues on page 7)**

## *From Statement of Gwendolyn VanSant*

Believe in Life!

That was Du Bois' final charge to us as he passed on — never losing faith in our ability to move forward.

And just look, Great Barrington — look at what we can do with willpower, imagination, and several committed friends, scholars and colleagues along the way. For decades, residents and scholars have been calling for reverence, for repair, and for a path forward with Dr. Du Bois.

We now have a town holiday, signs, murals, banners, commemorative walks, a scholars' forum — and today, we unveil a statue.

My name is Gwendolyn VanSant. I serve as Vice Chair of the Town of Great Barrington Du Bois Legacy Committee — a town-appointed committee to steward Dr. Du Bois values, a member of the Du Bois Sculpture Committee, and CEO and Founding Director of BRIDGE. [Berkshire Resources for Integration of Diverse Groups and Education]

This memorial is the result of the deep conviction of so many local folks, many of whom we've heard from today and many more we haven't. The seed of this sculpture was planted at Town Hall when community leaders gathered to envision what the 150th birthday celebration of Dr. Du Bois could mean for Great Barrington.

That was eight years ago. And here we are.

This sculpture stands not only as a symbol of Black liberation, civil rights, economic justice, progressive education and scholarship. It is a call to our collective humanity, one that includes and prioritizes the health and future of Black generations to come.

For me personally, it represents imagination — the imagining of a new future. It represents a renewed refusal — a refusal of white supremacy.

And it represents a liminal threshold — an invitation to give up life as we've known it, and to instead co-create a world that truly holds space for healthy Black communities.

As we prepare for the unveiling, I invite us to imagine a great web that connects us to our ancestors and kin, to the Indigenous peoples whose land we stand on, to our neighbors past and present.

And yes, even to the visitors and interlopers whose presence shapes our collective memory.

It is now my great honor to introduce Jeffrey Allan Peck, the great-grandson of Dr. W.E.B. Du Bois, who will unveil the statue today.

And now, as Jeff prepares to unveil the statue, I will (re)read this excerpt from *Souls of Black Folk*:

"Beneath the Veil lay right and wrong, vengeance and love, and sometimes throwing aside the veil, a soul of sweet Beauty and Truth stood revealed." W.E.B. Du Bois, *The Souls of Black Folk*, Chapter I: "Of Our Spiritual Strivings" (1903).

Let us unveil that Beauty and Truth together, right here, right now.

Believe in Life ... it is our turn!

# BHRSC; Parks Commission; Planning Board

Mr. Geiler was chosen as chairman of the committee with Ms. Cerna as vice chairman.

The committee has a vacancy as Phil Orenstein, who had been chairman, resigned after he was elected a selectman. Jan Wojcik and Michelle Loubert have applied, according to information at a selectmen's meeting.

\* \* \*

"QUOTE OF THE ISSUE" ON PAGE 1 is a statement that **Jake McCandless, principal of W.E.B. Du Bois Regional Middle School**, made during "Principals' Update" time at the Berkshire Hills Regional School Committee's July 24 meeting.

Reaction of people in the room didn't show on Zoom, which THE NEWSletter was on, but committee chairman Steve Bannon said he thought "everyone in the room was smiling and shaking their heads 'yes.'"

"It was a terrific statement," he said.

## Other Actions at BHRSC Meeting

Reproduced in this issue are two memos presented at the July 24 meeting and the evaluation of school district superintendent Peter Dillon.

All were approved unanimously.

William Vogt presented the evaluation. Other members of that subcommittee are Alison Read and Andrew Potter.

## Girls Cross-Country Team Trip?

Continued to the next committee meeting, on **Aug. 14** at 6 p.m., is a request to take the girls' cross-country team to participate in an overnight trip and race in Falmouth on Oct. 12.

Monument Mountain Regional High School principal Christopher Barnes and director of athletics and co-curricular programs Karl Zigman sought the permission.

The cost of rooms at a hotel "will be the responsibility of the booster club and/or parents, and food will be bought by athletes," Mr. Barnes' memo states.

Committee members had questions and concerns. Students from Du Bois Middle School are on the team and the trip "could be scary" for them, committee member Rich Dohoney said.

The district can't afford to pay for trips, Mr. Bannon said. Booster clubs are usually used to pay for items such as refreshments, Mr. Dillon observed.

Mr. Barnes said he did not have answers. The committee agreed the team's Booster Club and parents should participate in the discussion.

## Other News

Mr. Dillon announced that Berkshire United Way has given the district \$50,000.

The funds are for general operating support during this fiscal year, the organization wrote.

Also, business administrator Sharon Harrison is retiring effective Nov. 3 — 19 years after she started here on Nov. 1, 2006.

## Tour of MMRHS, Forum Sept. 16

The Building Committee will hold a tour of Monument Mountain Regional High School **Sept. 16** at 5:15 p.m., followed by an informational forum on the proposed new school.

Vote on the proposal is **Nov. 4**. More information is at [monumentbuildingproject.org](http://monumentbuildingproject.org).

\* \* \*

HOW TO KEEP the geese away from Lake Mansfield? **Parks Commission** members contemplated that July 7.

Last year, town employees made noise to scare them away, commission chairman Ilana Siegel noted. Only one goose family is there now, she said.

Place signs that say "Do Not Feed Geese," Bill Meier suggested. Get the geese to leave before more hatch, Tom Norton said.

Noisemakers are needed in early morning and late night, Karen Smith said.

## Need for More Parking Discussed

Also considered at the Lake Mansfield beach was overflow parking.

If a visiting family can't get parking, do we just say "Too bad"? Mr. Meier asked.

No overflow, no magic bullet, Ms. Smith told him.

The parking lot was designed so it would not overwhelm the beach. Adding overflow parking could mean too many

people for lifeguards to watch, commented interim town manager Chris Rembold.

Ms. Siegel suggested forming a joint task force. Paul Gibbons said responsibility for parking at the beach needs to be determined.

Members agreed that signs should clarify that camps or groups over a certain size must provide their own lifeguards.

Camps will be notified of this and lifeguards will be told they can say no to allowing large groups in the lake, members agreed.

During the discussion, commissioner Steve Bannon, who is also chairman of the Selectboard, noted that the Parks Commission has jurisdiction over the beach but not Lake Mansfield.

Coordination is needed with the Board of Health, Ms. Siegel said.

At the start of the meeting, Ms. Siegel was re-elected as chairman and Ms. Smith as vice chairman.

\* \* \*

THE PLANNING BOARD IS STARTING to consider updating the town's Open Space and Recreation Plan.

The board spent its July 24 meeting discussing the process with Seth Jenkins, a senior planner at Berkshire Regional Planning Commission.

Updating the plan — known as OSRP — is taking priority over revision of the Master Plan because it enables the town to get grants, Mr. Rembold has explained.

## Leigh Davis Statement continued

My father's life and mine mirror what Dr. Du Bois so powerfully captured in "The Souls of Black Folk": that tension between how we see ourselves — and how the world sees us.

In 2009, I came to Great Barrington as a solo parent with three young children. No job. No connections. Just a leap of faith and a desire to give my children a better life.

And this town embraced us — just as it once embraced Du Bois.

That spirit of welcome, that sense of belonging, it's part of what makes this moment so deeply meaningful.

Just last year, I was serving on the Great Barrington Selectboard and the Du Bois Legacy Committee. Today, I stand here as the State Representative for the 3rd Berkshire District.

This is a full-circle moment.

Because that journey — of finding voice, purpose, and community — is exactly what today represents. Today is not a protest. It's a movement. It's progress.

This statue. This space. This gathering. They all affirm that Du Bois's story

belongs here — not at the margins of our history, but at its very center.

The center of our town. The center of our memory. The center of who we are.

This sculpture doesn't just honor a man — it holds up a mirror and asks: Who are we? And who do we want to become?

It tells every child — especially every child of color—that: They belong. Their story matters.

And greatness can rise from this very soil, from this small town — from a community that came together to lift one of its own, just as it did for me and for my three children.

That is the power of community. That is the power of us.

So take a look around. This is what hope looks like. And in moments of division and despair, this is how we rise:

Stronger. Together.

And now, it is my great honor to welcome someone whose life reflects that very spirit — Governor Deval Patrick.

**THE NEWSletter is a great gift  
for new neighbors!**

# Police Report for June

GREAT BARRINGTON POLICE can be reached by calling 911 for an emergency or 528-0306. Police also handle ambulance dispatch.

The station is at 465 South Main St.

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

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).

## June Police Report

*The following is from the month's police report. It does not include all police actions. Police respond when the fire department is called. Those calls are reported in the Fire Report elsewhere on this page.*

Nineteen two-car collisions were reported in June. A motorcyclist fell in the rotary on South Main and was taken to Fairview Hospital.

A car went off Park Street and hit a tree. A tree fell on a vehicle and took out three power lines on Old Stockbridge Road. A tree fell on Stockbridge Road and hit a car.

A car rolled over on Monument Valley Road. No injuries were reported. A deer was hit by a car on State Road.

Police ran radar on 12 streets during June. That included 11 times on Division Street; five times each on East Street and Egremont Plain Road; four times each on

Main Street and North Plain Road; twice each on Old Stockbridge, Stockbridge and Van Deusenville roads, South Main Street and Taconic Avenue; and once each on Monterey Road and Park Street.

Police stopped 77 motor vehicles, resulting in 76 citations/warnings and one arrest.

## Other Police Actions

Police responded to 16 disturbances, not including those at area institutions. One possible overdose was reported. The clinician who helps police with behavioral health-related needs made or received 15 visits.

Twelve drivers reported being locked out of their vehicles. All vehicles were opened.

Two dogs killed multiple chickens in a coop, someone in Housatonic reported.

About 15 people called about dogs loose, barking or left in a car. Archer, the department's comfort dog, went to Party in the Park in Housatonic and Relay for Life at Monument Mountain Regional High School.

Counterfeit \$100 bills were reported by Guidos.

People drinking nips outside Mason Library were told not to drink in public.

Someone reported that a window on Taconic Avenue was shot with a BB gun.

## Bears, Turtle, Fox, Raccoon, Deer

A bear climbed a tree after eating from a bird feeder on Quarry Street. A fox was seen on Burning Tree Road.

An injured deer was reported in an East Street back yard.

A snapping turtle was reported on Stockbridge Road.

Police removed a bat from someone's house.

## Arrests During June

*THE NEWSletter identifies people who are arrested but not those who receive a summons.*

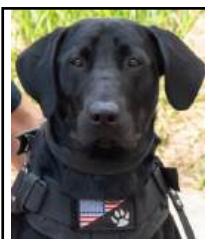
-Casey Mazaralle, 42, of Great Barrington, domestic assault & battery on an intimate partner.

-Johnathan Walther, 46, Petersburg, N.Y., larceny from a building (Hazen Paper in Housatonic) and possession of burglarious instrument.

-Christine Lynne Steele, 48, Great Barrington, court-issued warrant.

-Adam N. Dupont, 32, Stockbridge, operating under the influence of liquor, second offense.

-Carolyn P. Estes, 75, Great Barrington, disturbing the peace and court-issued warrant.



Want to meet Archer, the police department's comfort dog? You can arrange a meeting by calling the police station at 528-0306.



## Fire Report

GREAT BARRINGTON FIRE DEPARTMENT'S headquarters at 37 State Road. Great Barrington, is open from 8 to 11:30 a.m. weekdays.

Its telephone number is 528-0788, its page on the town website is [www.townofgbma.gov/332/Fire-Department](http://www.townofgbma.gov/332/Fire-Department) and its Facebook page is [www.facebook.com/gbfiredpt](https://www.facebook.com/gbfiredpt)

Firefighters responded to 100 calls in June, with 97 responded to from the State Road station and three from Housatonic.

That included finding a lost hiker on Tom Ball Mountain trail, extinguishing a garbage can on fire on North Street and providing a sump pump to a Linda Lane resident with water in the basement.

Firefighters helped EMS crews 56 times, including at motor vehicle accidents.

Twenty-nine calls were for false alarms for release of hazardous materials or carbon monoxide or fire alarms activated because of malfunction or unintentionally.

-Makayla Elise Foss, 31, Great Barrington, protective custody.



## SBAS Report

SOUTHERN BERKSHIRE AMBULANCE SQUAD is based at Fairview Hospital and serves Alford, Ashley Falls, Egremont, Great Barrington, Housatonic, Monterey, Mount Washington and Sheffield, with mutual aid agreements with six other municipalities.

Great Barrington police handle dispatch for this town at 911. The SBAS number is 413-528-3632. Its website is [sbvas.com/](http://sbvas.com/)

Of the 246 calls in June, 79 people were transported from one hospital to another; 124 people were transported to a hospital; 32 people refused transport; and 11 calls were canceled.

The calls were 15.51% more than last year, office administrator Cindi Morris noted.

Great Barrington had 72 transfers and 75 people were taken to a hospital. It had 22 refusals and four cancels.

# GBAHTF

## Buying a house?

A family of 4, with an annual household income of less than \$92,100, can qualify for the Affordable Housing Trust Fund's **Down Payment Assistance Program** – an interest free loan of 10% of the purchase price, up to \$25,000! The loan does not need to be repaid until the house is sold or transferred.

Visit [www.gbhousing.org](http://www.gbhousing.org) for details.

AN UNPAID PUBLIC SERVICE AD

**THE NEWSletter is a great gift for new neighbors!**





### THE SOUTH- ERN Berkshire Registry of Deeds

is 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.

-Daniel O. Bellow to Kathleen Triem, 17 Railroad Ave., Great Barrington, \$450,000.

-Jennifer Gaenzle Smith & Richard W. Gaenzle Jr., trustees, Marion M. Gaenzle Revocable Trust, to Saidya Hartman & Samuel Miller, trustees, Hartman Family Trust, 16 Forest Row, Great Barrington, \$415,000.

-Paul Myron Adams, Glenn Edward Adams, Jerri Ann Perren, Tammy K. Baker & estate of Judie K. Varnum to Gary Johnson & Marilyn Johnson, 80 Division St., Great Barrington, \$233,000.

-Nora T. Fernandez & Kurt C. Goodrich to Jin M. Choi, 115 Brush Hill Road, Great Barrington, \$585,000.

-John M. Sparkman & Yumiko O. Sparkman to Anna Wislocki, 14 Ox Bow Road, Egremont, \$1.3 million.

-James A. Schneider & Lila A. Schneider to STT LLC, 9 Jug End Road, Egremont, \$380,000.

-Evelyn Cunliffe Demelker & David Cunliffe to Karen Davis, unit B-3, 6 Rose Court West, Great Barrington, \$380,000.

-Jill Cancellieri to Anne Jacob, 107 Christian Hill Road, Great Barrington, \$885,000.

-James F. Butler II, trustee, Granger Family Nominee Realty Trust, to Richard A. MacDowell & Kathryn L. MacDowell, 33 McGee Road, Egremont, \$725,000.

-Catherine M. McTeigue to Kristen Vorisek, 242 State Road, Great Barrington, \$425,000.

-Barry R. Levine & Rose M. Levine to Jeffrey Paul Lavine & Phyllis Krosnick Lavine, 17 Second St., Egremont, \$650,000.

-Michael F. Carroll & Cara M. Carroll to Devon Gregor, 12 Beacon Hill, Great Barrington, \$539,000.

-Iredale Farm LLC to Berkshire Community Land Trust, 200 North Plain Road, Great Barrington, \$1.65 million.

-Mary Carol Rudin & Vickie Lynn Shuf-ton, trustees, Mary Carol Rudin Intervivos Trust, to Melvyn S. Jackson & Janet S. Jackson, trustees, Jackson Realty Trust, 7 & 9 East Mountain Road, Great Barrington, \$1.65 million.

-Judy Burghardt & Peter Burghardt to Matthew Dodds, 268 North Plain Road, Great Barrington, \$240,000.

-Marlene T. Carmen & Susan Carmen to J.M. Crane Restorations LLC, 6 Main St., Egremont, \$300,000.

-Wendy B. Tryon, trustee, Trust Under the Will of Donald Gangemi, to Billy Jack Brawner III & Xanthi Toupoyannis, 34 Seekonk Cross Road, Great Barrington, \$800,000.

## Recent Real Estate Transactions

-Patricia McGrath to Kate Coulehan, 17 Swamp Road, West Stockbridge, \$213,000.

-Arthur E. Purcell, estate of Carol E. Purcell, to Brian George & Stefi Nicole George, 120 Maple Ave., Great Barrington, \$685,000.

-Mary Kornman to John Chambers Christopher & Kimberly Seebrede, 279 Great Barrington Road, West Stockbridge, \$1.35 million.

-Joseph S. Roth & Barbara J. Roth to James Matthew Carman & Kseniya Yarosh, 40 Russell St., Great Barrington, \$794,000.

-Grant Lane Studio Homestead LLC to KC Valley Trust, Rebecca Y. Harris, trustee, 5 Grant Lane, Great Barrington, \$465,000.

-Richard G. Shrum to Licommo CH LLC, 1 Christian Hill Road, Great Barrington, \$502,500.

-Gift Fund VI LLC to Kevin M. Kinne & Cathleen Lahart Kinne, property on North Plain Road, Great Barrington, \$45,000.

-Bruce J. Merkis & Roseann Merkis to Gina R. Ross, trustee, Gina Rondinelli Ross Trust, unit A27, 2 Emily Court, Great Barrington, \$445,000.

-G & A Holdings LLC to Blunt Property Group LLC, unit 5, 420 Stockbridge Road, Great Barrington, \$1.15 million.

-Barbara E. Antico to Michele D. Brown, trustee, Michele D. Brown Massachusetts

Trust, 20 Lakeside Terrace, Monterey, \$1.75 million.

-Gordon Roberts & Doris M. Peterkin to Whitney D. Wilson, 17 Stockbridge Road, West Stockbridge, \$465,000.

-Steven T. Kinney & Trent L. Kinney, trustees, S. Kinney Revocable Trust & T. Kinney Revocable Trust, to Victoria Drozdov & Mark Drozdov, 46 West Center Road, West Stockbridge, \$1.195 million.

-Matthew C. Adams & Serena Naramore to Diane S. Weiser & Laine Wilder, 230 Prospect St. North, Great Barrington, \$486,000.

-Simon C. Cardwell & Fiona B. Cardwell to Sophie Blythe Lavine & Caroline P. Pratt, 72 Boice Road, Egremont, \$995,000.

-Timothy Fulco & estate of Mary Patricia Fulco to Philip B. Timpane, Janis Lynn Timpane & Brook Timpane, 147 & 149 Hurlburt Road, Great Barrington, \$590,600.

-Ellen K. Banner & Wendy Banner, trustees, Alcott Road Realty Trust, to Nathanel Ehrich, 300 Alcott Road, Great Barrington, \$2.1 million.

-Edward L. Blanco & estate of George A. Blanco to Simon Cardwell & Fiona B. Cardwell, 21 Hickory Hill Road, Egremont & Great Barrington, \$1.45 million.

-Dsquared Lakehouse LLC to MTA Planning LLC, 12 Sylvan Road, Monterey, \$1.0875 million.

## Permits for \$70,000 Or More

GREAT BARRINGTON IS PART of a four-town building department with Lee, Lenox and Stockbridge. Building commissioner is Matthew Kollmer, building inspector is Rian Dowd and administrative assistant is Jesse Self.

Their offices in the Town Hall are open weekdays from 8:30 a.m. to 4 p.m. or by appointment. The telephone number is 528-3206.

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

### 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 estimated to cost \$70,000 or more, with the owner's name, reason for permit, applicant if not the owner, and estimated value:

-Holly Hardman, exterior only of one-story addition at 29 Sumner St., Michael Brex, \$154,200.

-Central Berkshire Habitat for Humanity, two-story modular houses at 15, 17, 8, 19 & 20 Prosperity Way, each \$205,250.

-Richard Columbo, renovate kitchen & 2 bathrooms, siding & deck & new windows at 35 East St., Madeline Dymling/Flatbrook Development Inc., \$398,670.

-Trustee Toivo R. Tossavainen Jr., replace interior walls at 475 Main St., Jason Maronde, \$325,000.

-Trustee Andrew Kriegman, extend existing inground pool & add spa at 79 Seekonk Cross Road, Laurie Potter, \$211,600.



402 Park Street  
P.O. Box 547  
Housatonic, MA 01236  
[housatonicrealestate.com](http://housatonicrealestate.com)  
413.274.5065

THE NEWSletter unfortunately lacks the space to include all details and all survivors. It emails obituaries when it receives them to subscribers who requested them. THE NEWSletter does not charge to list an obituary.

## Harry A. Alexander

Harry A. Alexander, 84 of Pittsfield died July 20 at Fairview Commons Nursing Home.

Mr. Alexander, who was born in Great Barrington, had owned and operated Alexander Trucking and Carpentry, Andy's Bullet Hole and a motorcycle repair shop.

He built and restored homes throughout Berkshire County.

Mr. Alexander leaves Shirley, his wife of 64 years; his daughter Bonnie; his honorary daughter Leslie Strauser Rondeau; three grandchildren; and two great-grandchildren.

He was predeceased by his son, Shawn A. Alexander, and his brother, Arthur Alexander.

Birches-Roy Funeral Home handled arrangements.

Memorial donations are suggested to Berkshire Humane Society.

## James Nicoli Cooper

James Nicoli Cooper, 80, of Egremont died July 19.

He graduated summa cum laude from Harvard College, was a Woodrow Wilson Scholar at the University of Michigan and then finished a doctorate at Harvard.

He was stationed in Italy in the Army and then was a professor for 20 years at Carleton University in Ottawa, Canada. After taking early retirement, he worked in risk management at Price Waterhouse.

He resided in South Egremont for many years and served on the Historical Commission.

Mr. Cooper leaves his wife, Mary; his children Alix and Jenny; two grandchildren; and a sister and brother.

Finnerty & Stevens Funeral Home handled arrangements.

Memorial donations are suggested to Doctors Without Boards, the Trustees of Reservations or another land trust, or Clark Art Institute.

## Marilyn P. Granger

Marilyn P. Granger, 84, of Egremont and Venice, Fla., died Jan. 15 at Albany (N.Y.) Medical Center.

The former Marilyn Peck, she graduated from Mount Everett Regional School in 1958. She worked at Wheeler & Taylor and the former Berkshire Courier before raising her children.

Mrs. Granger was a founding member of the Down County Squares square dancing club. She and her husband, Henry D. Granger, also were founding members of the Southern Berkshire Snowdusters snowmobile club.

Mrs. Granger leaves three children, Karen Butler; Kevin Granger and Kelly Belair, all of Egremont; six grandchildren; eight great-grandchildren; and her brothers, Le-

land W. Peck of St. Petersburg, Fla., and Gregory E. Peck of Egremont.

She was predeceased by her husband of 62 years, Henry D. Granger, and her parents, George L. and Elizabeth Peck.

Finnerty & Stevens Funeral Home is handling arrangements, which include a celebration of life Aug. 16 from 1 to 4 p.m. at Crissey Farm, 426 Stockbridge Road.

Memorial donations are suggested to the Egremont Fire Department or the Southern Berkshire Volunteer Ambulance Squad through the funeral home.

## Robert William Lis

Robert William Lis, 78, of Housatonic died July 15 at home.

He graduated from the former Searles High School in 1967 and then served in the Navy in Vietnam.

After his service, he worked for 25 years for the former Mead Paper Co. and then for many years was a self-employed painter.

He was a member of Murphy-Leary American Legion Post #298 for more than 55 years.

Mr. Lis leaves Irene, his wife of more than 55 years; his son, David of Plymouth; his daughter, Annette Darrow of Indianapolis, Ind.; and three grandchildren.

Birches-Roy Funeral Home handled arrangements.

Memorial donations are suggested to Saint Teresa of Calcutta Building Fund or Saint Jude Children's Hospital through the funeral home.

## Anne Parker McKinstry

Anne Parker McKinstry, 87, died July 12 at her home on Dresser Avenue, Great Barrington.

She graduated from the University of Massachusetts in 1960.

She had taught piano and wrote poetry and hymns, including "With Joy Draw Water, published in the New Century Hymnal in 1995.

Mrs. McKinstry leaves her husband of 65 years, the Rev. John W. McKinstry; her children, Laurel Petersen and Janet McKinstry; four grandchildren; and a great-grandchild.

She was predeceased by her brothers, Robert and Theodore Sargent, and her twin sister, Chris Sargent Wilson.

Birches-Roy Funeral Home is handling arrangements, which include services Aug. 23 at 11 a.m. at First Congregational Church of Stockbridge with the Rev. Brent Damrow officiating. An online option will be available.

Memorial donations are suggested to the First Congregational Church of Stockbridge through the funeral home.

# Recent Obituaries

## Thomas 'Walt' Palivoda

Thomas F. "Walt" Palivoda, 72, of Housatonic and Venice, Fla., died June 18.

He graduated in 1971 from Monument Mountain Regional High School and was a licensed master electrician.

He was on Wyantenuck Country Club's board of governors.

Mr. Palivoda leaves Karen Granger Butler; her children Shea Brosnihan and Jimmy Butler; his brothers, John and Michael; and his children; Jessica Kerrigan and Thomas Palivoda.

Birches-Roy Funeral Home handled arrangements.

As a memorial, people are invited to plant a tree in Mr. Palivoda's honor.

## Open Meeting Law: What Minutes Need

THE LAST NEWSletter reviewed Open Meeting Law requirements on posting a meeting notice. Here what the OML requires about those meeting's minutes, as stated in the Attorney General's Guide:

"Public boards must create and maintain accurate minutes of all meetings, including executive sessions. The minutes must include the date, time and place of the meeting; members present or absent; decisions made and actions taken, including a record of all votes";

Also, a summary of discussions on each subject; a list of all documents and exhibits used at the meeting; and the name of any member who participated in the meeting remotely.

"Minutes should contain enough detail and accuracy so that a member of the public who did not attend the meeting could read the minutes and have a clear understanding of what occurred."

The OML requires that boards "create and approve minutes in a timely manner." That usually means 30 days, the guide recommends.

The new town website states on each board's page that "Minutes are available following approval." But that's not necessarily so.

### Local Bylaw Says Post Drafts

Draft, unapproved minutes can be provided almost immediately. For example, the Board of Health posts very succinct notes of what happened within a day or so of a meeting.

A Great Barrington bylaw (which I proposed) requires that draft minutes, at least, be posted within 35 days of the meeting. Some boards do that.

The bylaw is not enforced, and some boards aren't very good about posting.

According to the town website, the Cemetery Commission last posted minutes did for April 26, 2023. And the Agricultural Commission hasn't posted minutes in about five years.

More information about the Open Meeting Law is at [mass.gov/the-open-meeting-law](https://mass.gov/the-open-meeting-law).  
— Eileen W. Mooney

## End-of-Cycle Summative Evaluation Report: Superintendent



**Superintendent:**

Peter W. Dillon, Ed. D.

**Evaluator:**

Bill Vogt on behalf of the Sub-Committee

6.30.2025

	Name	Signature	Date
<b>Step 1: Assess Progress Toward Goals (Reference performance goals; check one for each set of goal[s].)</b>			
Lead the MSBA project – Support and drive the high school project. Work with MSBA to ensure maximum funding. Explore other grant possibilities. Help coordinate a half dozen sub-committees. Engage staff, students, the school committee and the public in the process.		<input type="checkbox"/> Did Not Meet <input type="checkbox"/> Some Progress <input type="checkbox"/> Significant Progress <input type="checkbox"/> Met <input checked="" type="checkbox"/> Exceeded	
Support three new principals in their entry plans and success. Analyze MCAS data and support growth in math, literacy, and science. Set clear data informed outcomes and implications for observations, evaluation, and professional development. Support increased rigor and challenge for all students.		<input type="checkbox"/> Did Not Meet <input type="checkbox"/> Some Progress <input type="checkbox"/> Significant Progress <input type="checkbox"/> Met <input checked="" type="checkbox"/> Exceeded	
Support communications shift – Implement recommendations from communication report: recruit and hire communications role/consultants, support them in creating 4 websites newsletters, existing tools and enhance quality of communications with School Committee, staff, families, and residents of the three towns.		<input type="checkbox"/> Did Not Meet <input type="checkbox"/> Some Progress <input checked="" type="checkbox"/> Significant Progress <input type="checkbox"/> Met <input type="checkbox"/> Exceeded	

## Step 2: Assess Performance on Standards (Reference Performance Ratings per Standard; check one box for each Standard.)

**Unsatisfactory** = Performance on a standard or overall has not significantly improved following a rating of Needs Improvement, or performance is consistently below the requirements of a standard or overall and is considered inadequate, or both.

**Needs Improvement/Developing** = Performance on a standard or overall is below the requirements of a standard or overall but is not considered to be Unsatisfactory at the time. Improvement is necessary and expected.

**Proficient** = Proficient practice is understood to be fully satisfactory. This is the rigorous expected level of performance.

**Exemplary** = A rating of Exemplary indicates that practice significantly exceeds Proficient and could serve as a model of practice regionally or statewide.

	Unsatisfactory	Needs Improvement	Proficient	Exemplary
Standard I: Instructional Leadership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Standard II: Management and Operations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Standard III: Family and Community Engagement	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Standard IV: Professional Culture	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>





### Step 3: Rate Overall Summative Performance (Based on Step 1 and Step 2 ratings; check one.)

☐ Unsatisfactory      ☐ Needs Improvement      ☐ Proficient      ☒ Exemplary

### Step 4: Add Evaluator Comments

Comments and analysis are recommended for any rating but are required for an overall summative rating of *Exemplary*, *Needs Improvement* or *Unsatisfactory*.

#### Comments:

Dr. Dillon's work was seen as exemplary. His performance against his three stated goals was overall exemplary, with particular credit to the Superintendent on the building project, which was time-consuming. The principals hiring and onboarding were and continues to be extremely positive for the District. All three principals have made great starts in their current roles. Communication and community outreach have improved significantly. Response to ICE's impact has been sensitive and supportive of immigrant families and was well received. The Superintendent leaned on a strong coalition of supporters to back impacted families and students.



## Superintendent's Performance Goals



Superintendents must identify at least one student learning goal, one professional practice goal, and two to four district improvement goals. Goals should be SMART and aligned to at least one focus Indicator from the Standards for Effective Administrative Leadership.

Goals	Focus Indicator(s)	Description	Did Not Meet	Some Progress	Significant Progress	Met	Exceeded
1. Lead the MSBA project – Support and drive the high school project. Work with MSBA to ensure maximum funding. Explore other grant possibilities. Help coordinate a half dozen sub-committees. Engage staff, students, the school committee and the public in the process		<ul style="list-style-type: none"> <li>- Work is on-time and progressing.</li> <li>- Found issue with funding formula and secured a 6%+ increase in our reimbursement rate and an additional \$7M from the MSBA.</li> <li>- Applied for a \$5M CEC Greenworks grant which was not received.</li> <li>- Held dozens of committee, sub-committee, school, and community meetings which positively impacted design plans.</li> <li>- Supported the establishment of a Yes Committee.</li> <li>- Met with attorneys, elected officials, etc. to set a process and a vote date.</li> <li>- Continuing to work on outreach in support of a 11/4 vote.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
2. Support three new principals in their entry plans and success. Analyze MCAS data and support growth in math, literacy, and science. Set clear data informed outcomes and implications for observations, evaluation, and professional development. Support increased rigor and challenge for all students.		<ul style="list-style-type: none"> <li>- Hired and inducted 3 extraordinary principals.</li> <li>- Developed thoughtful district and school improvement plans.</li> <li>- Meeting weekly in individual and group settings to support principals' growth and success.</li> <li>- Using data to inform instructional decisions:               <ul style="list-style-type: none"> <li>MB – focus on benchmark assessment and growth in ELA and math.</li> <li>DB – Focus on climate and tone.</li> <li>MM – focus on 9<sup>th</sup> and 10<sup>th</sup> grade ELA and social studies including a school wide focus on curriculum planning and assessment and O'Dell ELA curricula.</li> </ul> </li> <li>- On track to complete thoughtful evaluations of all staff.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

3. Support communications shift – Implement recommendations from communications report: recruit and hire them in creating 4 websites/newsletters, existing tools and enhance quality of communications with School Committee, staff, families, and residents of the three towns.	<ul style="list-style-type: none"> <li>- Working with a communications consultant to generate 2-3 stories/updates a week in the form of press releases, social media, etc. (external)</li> <li>- Writing a District newsletter (twice a month) and staff newsletter (occasionally) on a regular basis internal).</li> <li>- Supported the redesign of school and District logos.</li> <li>- Working on the District and School websites.</li> <li>- Planning surveys for next year.</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Standards and Indicators for Effective Administrative Leadership					
Superintendents should identify 1-2 focus indicators per Standard aligned to their goals.					
I. Instructional Leadership	II. Management & Operations	III. Family & Community Engagement	IV. Professional Culture		
I-A. Curriculum	II-A. Environment	III-A. Engagement	IV-A. Commitment to High Standards		
I-B. Instruction	II-B. HR Management and Development	III-B. Sharing Responsibility	IV-B. Cultural Proficiency		
I-C. Assessment	II-C. Scheduling & Management Information Systems	III-C. Communication	IV-C. Communication		
I-D. Evaluation	II-D. Law, Ethics and Policies	III-D. Family Concerns	IV-D. Continuous Learning		
I-E. Data-Informed Decision making	II-E. Fiscal Systems		IV-E. Shared Vision		
I-F. Student Learning			IV-F. Managing Conflict		



## Superintendent's Performance Rating for Standard I: Instructional Leadership

Rate each focus Indicator and indicate the overall Standard rating below. (\*Focus Indicators are those aligned to superintendent goal(s).)

	U	NI	P	E
I-A. Curriculum: Ensures that all instructional staff design effective and rigorous standards-based units of instruction consisting of well-structured lessons with measurable outcomes. <input type="checkbox"/> Focus Indicator (check if yes)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
I-B. Instruction: Ensures that practices in all settings reflect high expectations regarding content and quality of effort and work, engage all students, and are personalized to accommodate diverse learning styles, needs, interests, and levels of readiness. <input type="checkbox"/> Focus Indicator (check if yes)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I-C. Assessment: Ensures that all principals and administrators facilitate practices that propel personnel to use a variety of formal and informal methods and assessments to measure student learning, growth, and understanding and make necessary adjustments to their practice when students are not learning. <input type="checkbox"/> Focus Indicator (check if yes)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
I-D. Evaluation: Ensures effective and timely supervision and evaluation of all staff in alignment with state regulations and contract provisions. <input type="checkbox"/> Focus Indicator (check if yes)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>



<b>I-E. Data-Informed Decision Making:</b> Uses multiple sources of evidence related to student learning—including state, district, and school assessment results and growth data—to inform school and district goals and improve organizational performance, educator effectiveness, and student learning. <input type="checkbox"/> Focus Indicator (check if yes)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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## Superintendent's Performance Rating for Standard II: Management & Operations



Rate each focus indicator and indicate the overall Standard rating below. (\*Focus Indicators are those aligned to superintendent goal(s).)

	U	NI	P	E
<b>II-A. Environment:</b> Develops and executes effective plans, procedures, routines, and operational systems to address a full range of safety, health, emotional, and social needs. <input type="checkbox"/> Focus Indicator (check if yes)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<b>II-B. Human Resources Management and Development:</b> Implements a cohesive approach to recruiting, hiring, induction, development, and career growth that promotes high-quality and effective practice. <input type="checkbox"/> Focus Indicator (check if yes)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<b>II-C. Scheduling and Management Information Systems:</b> Uses systems to ensure optimal use of data and time for teaching, learning, and collaboration, minimizing disruptions and distractions for school-level staff. <input type="checkbox"/> Focus Indicator (check if yes)	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
<b>II-D. Law, Ethics, and Policies:</b> Understands and complies with state and federal laws and mandates, school committee policies, collective bargaining agreements, and ethical guidelines. <input type="checkbox"/> Focus Indicator (check if yes)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<b>II-E. Fiscal Systems:</b> Develops a budget that supports the district's vision, mission, and goals; allocates and manages expenditures consistent with district- and school-level goals and available resources. <input type="checkbox"/> Focus Indicator (check if yes)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<b>OVERALL Rating for Standard II: Management &amp; Operations</b> The education leader promotes the learning and growth of all students and the success of all staff by ensuring a safe, efficient, and effective learning environment, using resources to implement appropriate curriculum, staffing, and scheduling.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<b>Comments and analysis (recommended for any overall rating; required for overall rating of Exemplary, Needs Improvement or Unsatisfactory):</b>  Received another audit with no significant findings. Successfully crafted a budget and reduced the impact of reductions on students. Success in hiring and mentoring new employees. Need to continue work on updating policies, particularly as related to AI and attendance. The building project was a substantial demand on the Superintendent's time, and he managed it in an exemplary fashion – see goal #1.				



## Superintendent's Performance Rating for Standard III: Family and Community Engagement



Rate each focus indicator and indicate the overall Standard rating below. (\*Focus Indicators are those aligned to superintendent goal(s).)

	U	NI	P	E
<b>III-A. Engagement:</b> Actively ensures that all families are welcome members of the classroom and school community and can contribute to the effectiveness of the classroom, school, district, and community. <input type="checkbox"/> Focus Indicator (check if yes)	<input type="checkbox"/>	<input type="checkbox"/>	X	X
<b>III-B. Sharing Responsibility:</b> Continuously collaborates with families and community stakeholders to support student learning and development at home, school, and in the community. <input type="checkbox"/> Focus Indicator (check if yes)	<input type="checkbox"/>	<input type="checkbox"/>	X	X
<b>III-C. Communication:</b> Engages in regular, two-way, culturally proficient communication with families and community stakeholders about student learning and performance. <input type="checkbox"/> Focus Indicator (check if yes)	<input type="checkbox"/>	<input type="checkbox"/>	X	X
<b>III-D. Family Concerns:</b> Addresses family and community concerns in an equitable, effective, and efficient manner. <input type="checkbox"/> Focus Indicator (check if yes)	<input type="checkbox"/>	<input type="checkbox"/>	X	X
<b>OVERALL Rating for Standard III: Family &amp; Community Engagement</b> The education leader promotes the learning and growth of all students and the success of all staff through effective partnerships with families, community organizations, and other stakeholders that support the mission of the district and its schools.	<input type="checkbox"/>	<input type="checkbox"/>	X	X

Comments and analysis (recommended for any overall rating; required for overall rating of *Exemplary*, *Needs Improvement* or *Unsatisfactory*):

Well handled challenging situations with families, including response to ICE in the community. Continuing to expand outreach and communication. Some promising efforts on logo design and websites.

## Superintendent's Performance Rating for Standard IV: Professional Culture



Rate each focus indicator and indicate the overall Standard rating below. (\*Focus Indicators are those aligned to superintendent goal(s).)

	U	NI	P	E
<b>IV-A. Commitment to High Standards:</b> Fosters a shared commitment to high standards of service, teaching, and learning with high expectations for achievement for all. <input type="checkbox"/> Focus Indicator (check if yes)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<b>IV-B. Cultural Proficiency:</b> Ensures that policies and practices enable staff members and students to interact effectively in a culturally diverse environment in which students' backgrounds, identities, strengths, and challenges are respected. <input type="checkbox"/> Focus Indicator (check if yes)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<b>IV-C. Communication:</b> Demonstrates strong interpersonal, written, and verbal communication skills. <input type="checkbox"/> Focus Indicator (check if yes)	<input type="checkbox"/>	<input type="checkbox"/>	X	X
<b>IV-D. Continuous Learning:</b> Develops and nurtures a culture in which staff members are reflective about their practice and use student data, current research, best practices, and theory to continuously adapt practice and achieve improved results. Models these behaviors in his or her own practice. <input type="checkbox"/> Focus Indicator (check if yes)	<input type="checkbox"/>	<input type="checkbox"/>	X	X
<b>IV-E. Shared Vision:</b> Successfully and continuously engages all stakeholders in the creation of a shared educational vision in which every student is prepared to succeed in postsecondary education and become a responsible citizen and global contributor. <input type="checkbox"/> Focus Indicator (check if yes)	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
<b>IV-F. Managing Conflict:</b> Employs strategies for responding to disagreement and dissent, constructively resolving conflict and building consensus throughout a district or school community. <input type="checkbox"/> Focus Indicator (check if yes)	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
<b>OVERALL Rating for Standard IV: Professional Culture</b> The education leader promotes the learning and growth of all students and the success of all staff by nurturing and sustaining a districtwide culture of reflective practice, high expectations, and continuous learning for staff.	<input type="checkbox"/>	<input type="checkbox"/>	X	X
<b>Comments and analysis (recommended for any overall rating: required for overall rating of Exemplary, Needs Improvement or Unsatisfactory):</b>  Supports staff effectively, sets high standards, models efforts as a learner, and manages conflict effectively. We hope to seek additional feedback in the future from principals and some teachers with input at the beginning in response to goals, mid-year, and year-end.				



**CLEO stands for “community, learning, enrichment opportunities.”****MEMO**

From: JP Okin, CLEO Program Coordinator

To: Member of the BHRSD School Committee

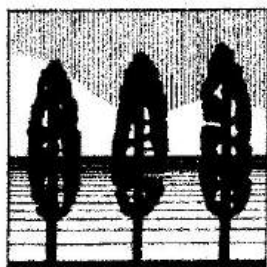
Re: Plan for early drop-off SY 26

Muddy Brook Elementary School has historically run an unofficial early-morning drop-off program for certain families. For the 25-26 school year I would propose the following.

1. We bring early drop-off under the CLEO umbrella. This communicates that it is not an expected service provided by the school, but is instead a bonus provided by the district through grant funds.
2. Early drop-off would apply to students in grades K-4 who are enrolled in Muddy Brook Elementary.
3. Drop-off of children of district faculty and staff would begin at 7:35 AM. This has been historically the case. No fees would be charged for these participants. Space for these participants is guaranteed.
4. Early drop-off of non-staff children would begin at 8:00 AM and end at 8:20 AM.
5. All students would be released to the school day at 8:35 AM.
6. This program would run all school days beginning September 2, 2025 and ending the last day of school in June 2026.
7. All participants would need to be pre-enrolled through the existing CLEO enrollment structures.
8. This program would take place in the Muddy Brook cafeteria.
9. Students would be expected to remain seated at cafeteria tables and do homework, read, play games, or play with CLEO supplies (legos, crayons, etc.)
10. Parents would be expected to drop their children at the exterior doors to the cafeteria on the lower level, rear of the building (by the permanent picnic tables).
11. The parent contribution to offset the cost would be \$5 per day, excluding staff of BHRSD and families eligible for free and reduced lunch by the state.
12. Max capacity = 24

**STAFFING**

- Target ratio 1:12
- Morning Coordinator: 7:35 - 8:35. \$35 per day. Responsible for validating entry, tracking attendance, tracking staff attendance, ensuring order.
- Morning Staff: 8:00 - 8:35. \$10 per day. Responsible for keeping students engaged, safe, and orderly. Retrieving and returning items to CLEO closets.



# BERKSHIRE HILLS REGIONAL SCHOOL DISTRICT

GREAT BARRINGTON • STOCKBRIDGE • WEST STOCKBRIDGE

50 MAIN STREET • P.O. BOX 617 • STOCKBRIDGE, MA 01262 • (413) 298-4017

July 21, 2025

To: BHRSD School Committee  
 From: Steven Soule, Director of Operations  
 Re: Re-allocation of Funds

We are requesting to re-allocate expenses in the amount of \$42,689 from the capital fund accounts that were used to pay for the replacement "storage barn" to the FFA revolving fund. Though this replacement took longer than anticipated the resulting structure is very useful and very well liked. The original barn was deemed to be unsafe when we noticed the block wall that the structure was sitting on had shifted dramatically ½ way up the eight-foot (retaining) wall. We promptly emptied the space and closed it down and started the replacement process. I am happy to answer any questions regarding this project either via email or at the July 24<sup>th</sup> School Committee meeting.

FFA balance prior to this reallocation is \$587,499.77

We are requesting to re-allocate funding that was previously assigned to the capital project revolving fund for the replacement of the elementary school chiller to cover the following projects; one geothermal well pump replacement, Installation of Building Management System for the head end equipment in the middle school, replacement of four heat pumps in the middle school, continue to build out the communications systems in the geothermal heating and cooling systems, replacement of two valves and air diffusers in the waste water treatment plant. If there is money remaining, we will continue to convert the lighting systems in the middle and elementary schools.

Geothermal well pump	\$18,736
BMS expansion to include head end equipment	\$16,189
Geothermal heat pump (four) replacement	\$40,000-\$60,000 est.
Continue comm card replacements	\$50,000 est.
WWTF repairs/maintenance	\$20,000 est.
Classroom lighting change over	\$4,500/room

Thanks  
 Steve

*Berkshire Hills Regional School District does not discriminate on the basis of age, race, to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles, color, sex, age, gender identity, religion, national origin, sexual orientation, disability, pregnancy or parenting status, limited English proficiency, or homelessness. (Chapter 622, Title IX and Sec. 504 Regs.)*



**COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

In the matter of:  
Housatonic Water Works Company

Enforcement Document Number:  
00016953  
Issuing Bureau: BWR  
Issuing Region/Office: WERO  
Issuing Program: DWP  
Primary Program Cited: DWP  
PWS ID Number: 1113003

**ADMINISTRATIVE CONSENT ORDER WITH PENALTY  
AND  
NOTICE OF NONCOMPLIANCE**

**I. THE PARTIES**

1. The Department of Environmental Protection ("Department" or "MassDEP") is a duly constituted agency of the Commonwealth of Massachusetts established pursuant to M.G.L. c. 21A, § 7. MassDEP maintains its principal office at 100 Cambridge Street, Boston, Massachusetts 02114, and its Western Regional Office at 436 Dwight Street, Springfield, Massachusetts 01103.

2. Housatonic Water Works Company ("Respondent" or "HWWC") is a Massachusetts corporation. HWWC owns and operates a community public water system, which is a type of Public Water System (PWS), as defined in 310 CMR 22.02, and therefore is a Supplier of Water, as defined in 310 CMR 22.02. The PWS is located at 80 Maple Avenue Suite 1, Great Barrington, Massachusetts 01230. HWWC's mailing address for purposes of this Order is 80 Maple Street, Great Barrington, Massachusetts 01230.

**II. STATEMENT OF FACTS AND LAW**

3. MassDEP has primary enforcement responsibility for the requirements of the Federal Safe Drinking Water Act, 42 U.S.C. §300f et seq., and the regulations promulgated thereunder. MassDEP implements and enforces statutes and regulations of the Commonwealth of Massachusetts for the protection of the public drinking water supply, including, without limitation, M.G.L. c. 111, §5G and §160, and the Drinking Water Regulations at 310 CMR 22.00; the Cross Connections, Distribution System Protection Regulations at 310 CMR 22.22; and the Underground Injection Control Regulations at 310 CMR 27.00. MassDEP, pursuant to M.G.L. c. 111, §160, may issue such orders as it deems necessary to ensure the delivery of fit and pure drinking water by public water systems to all consumers. MassDEP, pursuant to M.G.L. c. 111, §5G, may require by order the provision and operation of such treatment facilities as it deems necessary to ensure the delivery of a safe water supply to all consumers.

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MassDEP's Drinking Water Regulations at 310 CMR 22.02 define a public water system as a system for the provision to the public of water for human consumption, through pipes or other constructed conveyances, if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days of the year. 310 CMR 22.02 also defines a supplier of water as "any person who owns or operates a public water system."

MassDEP has authority under M.G.L. c. 21A §16, and the Administrative Penalty Regulations at 310 CMR 5.00 to assess civil administrative penalties to persons in noncompliance with the laws and regulations set forth above.

4. Respondent is a Public Water System pursuant to 310 CMR 22.00 et seq.
5. The following facts and allegations have led MassDEP to issue this Consent Order:
  - A. MassDEP issued a Unilateral Administrative Order (UAO) (UAO# 00016912) to Respondent on October 8, 2024. Respondent did not appeal the UAO. The following requirements were established in the UAO and are therefore undisputed.
    - (1) By no later than thirty (30) days from the date of issuance of UAO# 00016912, Respondent was to submit to MassDEP, for review and approval, a complete WS-25 permit application with any associated fees, prepared by a Massachusetts licensed professional engineer, for the design of a manganese treatment system using the treatment methodology approved in MassDEP's March 25, 2024, WS-22 permit approval letter.
    - (2) By no later than thirty (30) days from the date of issuance of UAO# 00016912, Respondent was to submit to MassDEP, for review and approval, a Corrective Action Plan that includes a schedule for the construction, and activation, of a treatment facility as described in the WS-25 permit submittal. Construction shall commence within ninety (90) days of MassDEP's approval.
  - B. On November 27, 2024, Respondent submitted a Corrective Action Plan to MassDEP which included an anticipated schedule for the construction and activation of a treatment facility as described in the WS-25 permit submittal. Being later than thirty (30) days from the issuance of UAO# 00016912, this submittal is in violation of the UAO and 310 CMR 22.03(1)(b).
  - C. On December 11, 2024, Respondent submitted a complete WS-25 permit application for the design of a manganese treatment system, and associated fees, to MassDEP. Being later than thirty (30) days from the issuance of UAO# 00016912, this submittal is in violation of the UAO and 310 CMR 22.03(1)(b).

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- D. On December 13, 2024, MassDEP issued a conditional approval to construct a Greensand Plus Treatment System. Certain conditions within that approval required Respondent to provide additional permit-design information within ninety (90) days.
- E. On February 13, 2025, MassDEP issued correspondence that reminded Respondent of the deadlines associated with both the UAO and permit approval and required Respondent to submit routine progress reports on the project pursuant to its authority conferred by 310 CMR 22.03(1).
- F. On March 11, 2025, Respondent submitted a response to MassDEP's December 13, 2024 conditional permit approval, addressing those conditions requiring additional permit-design information.
- G. As of ninety (90) days from MassDEP's December 13, 2024, conditional approval of the WS-25 permit application, Respondent had not yet begun site work at the location of the treatment plant building, in violation of 310 CMR 22.03(1)(c).
- H. On March 13, 2025, MassDEP met with Respondent to discuss the deadlines associated with the construction of the manganese treatment system and actions that could be taken in the short term to mitigate the potential for discoloration issues during the summer of 2025. Respondent indicated that they were committed to the installation of the manganese treatment system, and commencement of operations, by March 1, 2026, provided that financing for the project could be obtained. Respondent indicated that its lender had approved financing for the manganese treatment project, but before funds could be advanced both the Order issued by the Great Barrington Board of Health and associated litigation, as well as litigation associated with utility-rate increases, would need resolution to allow Respondent to obtain the necessary financing. Without financing, Respondent indicated that installation of the manganese treatment system cannot proceed. Respondent also indicated that they were committed to taking short-term actions to mitigate the potential for discoloration issues during the summer of 2025 to the extent feasible. MassDEP acknowledges that the Board of Health Order and associated litigation, as well as the litigation associated with utility-rate increases adversely affect the ability of the Respondent to obtain financing to complete the manganese treatment project.
- I. Within a March 18, 2025 correspondence, MassDEP evaluated the additional permit design information included within Respondent's March 11, 2025 response letter, and included further requirements for Respondent to provide additional permit design information. Respondent has responded on the issues of pump design and manganese treatment system efficiency.

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- J. Respondent has offered to install a water-filter/treatment system at the Housatonic Community House, subject to the Town's acceptance of that offer.

**Regulations:**

- K. 310 CMR 22.03(1) states in part: "the Department may establish a schedule for compliance within an administrative consent order or other enforceable document that may include interim measures that the Supplier of Water must take..."
- L. 310 CMR 22.03(1)(b) states: It shall be a violation of 310 CMR 22.00 to fail to comply with "a schedule for compliance, including any interim measures required by the Department in an administrative consent order or other enforceable document."
- M. 310 CMR 22.03(1)(c) states: It shall be a violation of 310 CMR 22.00 to fail to comply with "any term or condition of a permit, written approval, registration, certification or order issued by the Department pursuant to M.G.L. c. 111, § 160 or 310 CMR 22.00."

**III. DISPOSITION AND ORDER**

For the reasons set forth above, MassDEP hereby issues, and Respondent hereby consents to, this Order:

6. The parties have agreed to enter into this Consent Order because they agree that it is in their own interests, and in the public interest, to proceed promptly with the actions called for herein rather than to expend additional time and resources litigating the matters set forth above. Respondent enters into this Consent Order without admitting or denying the facts or allegations set forth herein. However, Respondent agrees not to contest such facts and allegations for purposes of the issuance or enforcement of this Consent Order.
7. MassDEP's authority to issue this Consent Order is conferred by the Statutes and Regulations cited in Part II of this Consent Order.
8. Respondent shall perform the following actions:
- A. By no later than the 15<sup>th</sup> day of each month, Respondent shall submit monthly status reports to MassDEP for the preceding calendar month. Each report shall provide a log of all water-discoloration complaints received; a summary of equipment order status, construction activities completed, and the planned activities for the next calendar month; and a summary of the status of all items identified in the overall projected construction schedule. The initial status report shall be submitted within the first month following the month within which this Consent Order becomes effective. Status



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reports shall then be submitted each subsequent month until construction of the project is complete and MassDEP states in writing that the status reports are no longer required.

- B. The constructed manganese treatment system shall consistently meet the manufacturer warranted treatment level of 0.030 mg/L manganese with a stated treatment goal of 0.015 mg/L manganese.
- C. By no later than March 1, 2026, Respondent shall complete all construction of the manganese treatment plant and shall provide written notification to MassDEP that the facility is ready for operation and final inspection. Respondent shall also meet the following interim deadlines.
  - 1. Respondent shall commence construction of the manganese treatment plant building by no later than July 31, 2025.
  - 2. Respondent shall complete the construction of the manganese treatment plant building structure by no later than December 1, 2025.
  - 3. Respondent shall complete the construction of the internal components (walls, electrical, lighting, HVAC, etc.) of the manganese treatment building construction by no later than January 15, 2026.
  - 4. Respondent shall accept physical delivery of all manganese treatment process components by no later than January 1, 2026.
  - 5. Respondent shall complete installation of all of treatment plant components (inclusive of electrical service, plumbing, controls, standby generator delivery/installation, etc.) by no later than February 1, 2026.
  - 6. Respondent shall have the manganese treatment plant ready for use and operational by no later than March 1, 2026.
- D. Respondent shall, by no later than August 15, 2025, install a water blow-off valve at the end of Wright Lane (a private way), provided that those owners grant access; if such permission is denied, this installation shall not be required. Respondent shall also, by August 15, 2025, identify to both the Great Barrington Board of Health and MassDEP any other sections of the water distribution network that currently lack flushing capability.
- E. Respondent shall offer to install a water-filter/treatment system at the Housatonic Community House or other municipal facility, subject to the Town's acceptance of that offer. If the Town accepts, Respondent shall provide and maintain that system at no cost to customers experiencing discolored water until such time as the manganese treatment plant is complete and operational, thereby ensuring access to water free of discoloration.

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- F. Respondent shall conduct special water sampling for those parameters, at a frequency, and at locations as directed by MassDEP. Until such time as the manganese treatment plant is complete and operational, Respondent shall within 5 days of receipt post all water quality results in a tabular form with the respective water quality standards on the Respondent's website. Concurrently, Respondent shall provide an electronic copy of the same results in tabular form to the Great Barrington Board of Health so that they may be posted on the Town's website if the Board of Health so chooses. For privacy reasons, Respondent shall not include any personally identifiable information about customers in any such reports or postings.
- G. Respondent shall maintain a log of all water-discoloration complaints and both provide the log to, and confer with, both MassDEP and the Great Barrington Board of Health on a weekly basis to ensure that the log is complete. The log shall identify the nature/details of the complaint, the date/time the discoloration was observed, and the address at which the discoloration was observed. Respondent shall also include a copy of the complete complaint log in the monthly reports submitted pursuant to Paragraph 8.A above. For privacy reasons, Respondent shall not include any personally identifiable information about customers in any such reports or postings.
- H. Respondent shall by no later than August 1, 2025 submit to MassDEP for review and approval a scope of work providing for the representative sampling of tap water at residential locations from which water discoloration complaints have been received. The intent of this scope of work is to correlate manganese values at complaint locations within the distribution system to values observed at Long Pond and within the treatment plant in a representative manner. The scope of work does not need to provide for sampling in response to all complaints received.
- I. In the event that the ongoing litigation is the sole reason that Respondent is unable to obtain financing necessary to meet the deadlines contained in Paragraph 8.C above, should Respondent make a reasonable request for an extension of said deadlines, MassDEP will consider said request, provided that Respondent makes such request at least fifteen (15) days prior to the expiration of said deadline and demonstrates to MassDEP's satisfaction that financing has been denied solely for reasons outside of Respondent's fault or control and that it has pursued all reasonable and available avenues for obtaining financing, including, but not limited to, outreach to multiple potential lenders. Respondent acknowledges that lack of financing does not relieve its obligation to comply with all applicable statutory, regulatory, and permit obligations.

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J. Respondent agrees that any penalties assessed under this Consent Order will not be passed along to, or in any way covered by, its ratepayers.

9. Unless submitted via eDEP or except as otherwise provided, all notices, submittals and other communications required by this Consent Order shall be directed to:

MassDEP - Douglas Paine  
436 Dwight Street  
Springfield, MA 01103  
Douglas.Paine@mass.gov

Such notices, submittals and other communications shall be considered delivered by Respondent upon receipt by MassDEP.

10. Actions required by this Consent Order shall be taken in accordance with all applicable federal, state, and local laws, regulations and approvals. This Consent Order shall not be construed as, nor operate as, relieving Respondent or any other person of the necessity of complying with all applicable federal, state, and local laws, regulations and approvals.

11. For purposes of M.G.L. c. 21A, §16 and 310 CMR 5.00, this Consent Order shall also serve as a Notice of Noncompliance for Respondent's noncompliance with the requirements cited in Part II, 5.B, C, and G above. MassDEP hereby determines, and Respondent hereby agrees, that any deadlines set forth in this Consent Order constitute reasonable periods of time for Respondent to take the actions described.

12. The Commonwealth assesses a civil administrative penalty in the amount twelve thousand three hundred sixty dollars (\$12,360.00) for the violations identified in Part II above. MassDEP hereby agrees to suspend payment of the entire penalty amount; provided, however, that if Respondent violates any provision of this Consent Order, Respondent shall pay to the Commonwealth the full amount of twelve thousand three hundred sixty dollars (\$12,360.00) within thirty (30) days of the date MassDEP issues Respondent a written demand for payment. This paragraph shall not be construed or operate to bar, diminish, adjudicate, or in any way affect, any legal or equitable right of MassDEP to assess Respondent additional civil administrative penalties, or to seek any other relief, with respect to any future violation of any provision of this Consent Order or any law or regulation.

13. Respondent understands, and hereby waives, its right to an adjudicatory hearing before MassDEP on, and judicial review of, the issuance and terms of this Consent Order and to notice of any such rights of review. This waiver does not extend to any other order issued by the MassDEP.

14. MassDEP hereby determines, and Respondent hereby agrees, that any deadlines set forth in this Consent Order constitute reasonable periods of time for Respondent to take the actions described.

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15. This Consent Order may be modified only by written agreement of the parties hereto.

16. The provisions of this Consent Order are severable, and if any provision of this Consent Order or the application thereof is held invalid, such invalidity shall not affect the validity of other provisions of this Consent Order, or the application of such other provisions, which can be given effect without the invalid provision or application, provided however, that MassDEP shall have the discretion to void this Consent Order in the event of any such invalidity.

17. Nothing in this Consent Order shall be construed or operate as barring, diminishing, adjudicating or in any way affecting (i) any legal or equitable right of MassDEP to issue any additional order or to seek any other relief with respect to the subject matter covered by this Consent Order, or (ii) any legal or equitable right of MassDEP to pursue any other claim, action, suit, cause of action, or demand which MassDEP may have with respect to the subject matter covered by this Consent Order, including, without limitation, any action to enforce this Consent Order in an administrative or judicial proceeding.

18. This Consent Order shall not be construed or operate as barring, diminishing, adjudicating, or in any way affecting, any legal or equitable right of MassDEP or Respondent with respect to any subject matter not covered by this Consent Order.

19. This Consent Order shall be binding upon Respondent and upon Respondent's successors and assigns. Respondent shall not violate this Consent Order and shall not allow or suffer Respondent's directors, officers, employees, agents, contractors or consultants to violate this Consent Order. Until Respondent has fully complied with this Consent Order, Respondent shall provide a copy of this Consent Order to each successor or assignee at such time that any succession or assignment occurs.

20. In addition to the penalty set forth in this Consent Order, if any (including any suspended penalty), if Respondent violates any provision of the Consent Order, Respondent shall pay stipulated civil administrative penalties to the Commonwealth in the amount of \$500 per day for each day, or portion thereof, each such violation continues.

Stipulated civil administrative penalties shall begin to accrue on the day a violation occurs and shall continue to accrue until the day Respondent corrects the violation or completes performance, whichever is applicable. Stipulated civil administrative penalties shall accrue regardless of whether MassDEP has notified Respondent of a violation or act of noncompliance. All stipulated civil administrative penalties accruing under this Consent Order shall be paid within thirty (30) days of the date MassDEP issues Respondent a written demand for payment. If simultaneous violations occur, separate penalties shall accrue for separate violations of this Consent Order. The payment of stipulated civil administrative penalties shall not alter in any way Respondent's obligation to complete performance as required by this Consent Order. MassDEP reserves its right to elect to pursue alternative remedies and alternative civil and criminal penalties which may be available by reason of Respondent's failure to comply with the requirements of this Consent Order. In the event MassDEP collects alternative civil administrative penalties, Respondent shall not be



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required to pay stipulated civil administrative penalties pursuant to this Consent Order for the same violations.

Respondent reserves whatever rights it may have to contest MassDEP's determination that Respondent failed to comply with the Consent Order and/or to contest the accuracy of MassDEP's calculation of the amount of the stipulated civil administrative penalty. Upon exhaustion of such rights, if any, Respondent agrees to assent to the entry of a court judgment if such court judgment is necessary to execute a claim for stipulated penalties under this Consent Order.

21. The Respondent shall pay all civil administrative penalties due under this Consent Order, including suspended; or stipulated penalties and/or any associated fees, as provided in "Respondent Payment Options," attached hereto and incorporated by reference herein. In the event Respondent fails to pay in full any civil administrative penalty as required by this Consent Order, then pursuant to M.G.L. c. 21A, § 16, Respondent shall be liable to the Commonwealth for up to three (3) times the amount of the civil administrative penalty, together with costs, plus interest on the balance due from the time such penalty became due and attorneys' fees, including all costs and attorneys' fees incurred in the collection thereof. The rate of interest shall be the rate set forth in M.G.L. c. 231, § 6C.

#### Respondent Payment Options

**The Respondent has five options for payment;**

**Option 1:** certified check;

**Option 2:** cashier's check;

**Option 3:** company/corporate check;

**Option 4:** on-line payment using a credit card (not available for payment plan) or

**Option 5:** electronic transfer.

#### **Options 1, 2, and 3:**

Certified, cashier's, company/corporate checks must be made payable to the Commonwealth of Massachusetts and paid as provided in the Consent Order.

If payment is made by certified check, cashier's, company/corporate check, the Respondent shall clearly print on the face of its payment Respondent's full name, the enforcement document number appearing on the first page of this Consent Order, and Respondent's Federal Employer Identification Number, and shall mail it to:

Commonwealth of Massachusetts  
Department of Environmental Protection  
Commonwealth Master Lockbox

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P.O. Box 3982  
Boston, Massachusetts 02241-3982

**(IMPORTANT NOTE: DO NOT INCLUDE THE SIGNED ACOP WITH PAYMENT BY CHECK)**

**Option 4:**

On-line Payment Using Credit Card (not available for payment plan)

Once you receive the Consent Order, if you wish to make your on-line payment, please contact the Revenue Department at [dep.admp@mass.gov](mailto:dep.admp@mass.gov) or 800-248-1645 for assistance. After contacting the Revenue Department, you will receive information needed to use the below link to pay.

LOG ONTO THE MassDEP e-PAYMENT WEB SITE AT:

<HTTPS://WWW.MASSPAYS.COM/dep>

On-line payment using credit card is due as provided in the Consent Order.

Contact the Revenue Department at [dep.admp@mass.gov](mailto:dep.admp@mass.gov) or **800-248-1645** if you have questions about paying on-line.

**Option 5:**

Electronic Funds Transfer

Respondent must complete the Administrative Penalty Notification Form found at <https://massgov.formstack.com/forms/apn> to request payment by Electronic Funds Transfer. The form can also be used to correct any information on the invoice, including billing name, address, etc. MassDEP will respond by email with all the information needed to set up the EFT payments. EFT payment is due as provided in the Consent Order.

In the event Respondent fails to pay in full any civil administrative penalty as required by this Consent Order, then pursuant to M.G.L. c. 21A, § 16, Respondent shall be liable to the Commonwealth for up to three (3) times the amount of the civil administrative penalty, together with costs, plus interest on the balance due from the time such penalty became due and attorneys' fees, including all costs and attorneys' fees incurred in the collection thereof. The rate of interest shall be the rate set forth in M.G.L. c. 231, § 6C.

22. Failure on the part of MassDEP to complain of any action or inaction on the part of Respondent shall not constitute a waiver by MassDEP of any of its rights under this Consent Order. Further, no waiver by MassDEP of any provision of this Consent Order shall be construed as a waiver of any other provision of this Consent Order.

23. To the extent authorized by the current owner, Respondent agrees to provide MassDEP, and MassDEP's employees, representatives and contractors, access at all reasonable times to the Public Water Supply, water treatment locations and distribution equipment locations as well as all

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related infrastructure for purposes of conducting any activity related to its oversight of this Consent Order. Notwithstanding any provision of this Consent Order, MassDEP retains all of its access authorities and rights under applicable state and federal law.

24. This Consent Order may be executed in one or more counterpart originals, all of which when executed shall constitute a single Consent Order.

25. The undersigned certify that they are fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the party on whose behalf they are signing this Consent Order.


26. This Consent Order shall become effective on the date that it is executed by MassDEP.

**Consented To:**  
**HOUSATONIC WATER WORKS COMPANY**

By:   
James Mercer  
Treasurer

Date: July 14, 2025

**Issued By:**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

By:   
Michael Gorski  
Regional Director  
MassDEP

Date: July 14, 2025