

MAY 08 2014

TOWN CLERK

3:00 pm

**AGENDA
WILLIAMSTOWN BOARD OF SELECTMEN
MONDAY, MAY 12, 2014
7:00 P.M.**

- 1. CHAIRMAN'S OPENING STATEMENT**
- 2. SELECTMEN'S MINUTES:** April 28, 2014, April 28, 2014 Executive Session
- 3. LICENSES AND PERMITS**
 - A. Application for Sunday Entertainment License - Williamstown Theater Festival
 - B. Application for Common Victualler License - The Spring Street Market and Café, 66 Spring Street (Karen Gosselin)
- 4. ITEMS FOR SELECTMEN'S CONSIDERATION:**
 - A. Spruces Reimbursement Grant Short Term \$2,000,000 Borrowing (Janet Saddler)
 - B. Sign CDBG-DR Grant – Highland Woods Infrastructure \$315,000 (Elton Ogden)
 - C. Grant Agreement with Berkshire Fund, Inc. for Highland Woods \$2,600,000 (Wolahan/Ogden)
 - D. Option to Sell 330 Cole Avenue
 - E. Vote to Extend Town Manager's Contract
 - F. Vote to Release Executive Session Minutes
 - G. Report from Public Safety Building Committee (Patton)
 - H. Appointment of Williamstown Cultural District Coordinator
 - I. Appointment of AHC member to Affordable Housing Trust
 - J. Confirmation of Town Manager's Appointment to Historical Commission (Sarah Currie)
- 5. TOWN MANAGER'S REPORT**
- 6. PETITIONER REQUESTS**
- 7. OTHER BUSINESS**
- 8. VOTE TO ADJOURN**

Next Selectmen's meeting is Tuesday, May 27, 2014 at 7:00 p.m.

MINUTES
WILLIAMSTOWN BOARD OF SELECTMEN
May 12, 2014
7:00 PM

Present: Jane B. Allen, Chairman, David Rempell, Tom Sheldon, Jane Patton

Absent: Ronald Turbin

Others Present: Peter Fohlin, Debra Turnbull, Van Ellet, Karen Gosselin, Elton Ogden, Molly Wolahan, Jean Vankin

1. **CHAIRMAN'S OPENING STATEMENT-** Chairman Allen encouraged everyone to vote at the town elections May 13, 2014 from 7:00am-8:00pm. She also encouraged everyone to attend the Town Meeting scheduled on May 20, 2014 at 7:00pm in the Williamstown Elementary School. Chairman Allen also advised that Willinet has two programs on line that introduce the candidates and provide an overview of the warrant articles.
2. **SELECTMAN'S MINUTES-** Mr. Sheldon made a motion to approve the minutes from the April 28, 2014 meeting. Mr. Rempell seconded the motion. The motion passed 3-0-1. Ms. Patton recused herself from the vote due to absence. Mr. Rempell made a motion to accept the executive session minutes from April 15, 2014. Mr. Sheldon seconded the motion. The motion passed 3-0-1. Ms. Patton recused herself from the vote due to absence.
3. **LICENSES AND PERMITS-**
 - A. Common Victualler's License for Spring Street Café and Market (Karen Gosselin) Karen Gosselin of Bennington, VT requested a common victualler's license for a café and market located at 66 Spring Street. Mr. Rempell made a motion to approve the application for 66 Spring Street. Ms. Patton seconded the motion. The motion passed 4-0-0.
 - B. Sunday Entertainment License for Williamstown Theater Festival. WTF applied for Sunday Entertainment Licenses. Mr. Sheldon made a motion to approve the license for Sunday performances for July 6, 13, 20, 27, 2014 and August 3, 10, 17, 2014 from 1:00pm to 11:00pm. Mr. Rempell seconded the motion. The motion passed 3-0-1. Ms. Patton recused herself from the vote due to her involvement with the WTF.
4. **ITEMS FOR SELECTMAN'S CONSIDERATION:**
 - A. Spruces Reimbursement Grant Short Term Borrowing (Fohlin/Saddler) Mr. Fohlin explained the need for borrowing \$2million to create working

capital to cover the expenses of administering the reimbursement grant. The reimbursement grant requires that the monies be spent prior to reimbursement. We have had as much as a million dollars waiting for reimbursement. When certifying free cash on June 30, 2014, the state deducts any outstanding reimbursements from the free cash which is used to reduced taxes. This borrowing eliminates any impact on the free cash accounts. Janet Saddler informed the board that four banks bid on the loan. Eastern Bank won the bid and awarded Williamstown a loan for .45% interest. Mr. Rempell asked if this was the most we would need to borrow. We can borrow up to the full value of the grant if necessary. Mr. Sheldon made a motion to sign the documents to proceed with the borrowing. Mr. Rempell seconded the motion. The motion passed 4-0-0. Five documents were signed by the board of selectmen.

- B.** Sign CDBG-DR Grant- Highland Woods Infrastructure \$315,000 (Elton Ogden) This grant will be applied to the costs of bringing the road and utilities into the Highland Woods project. The reimbursement will not be requested until after June 30, 2014 according to Mr. Ogden so there will be no impact to the free cash calculations. Mr. Rempell made a motion to have Town Manager, Peter Fohlin sign the grant. Ms. Patton seconded the motion. The motion passed 4-0-0.
- C.** Grant Agreement with Berkshire Fund, Inc. for Highland Woods \$2,600,000 (Wolahan/Ogden). This agreement requires additional consideration by town counsel. The agreement will be reconsidered at a future date. Mr. Rempell did question the need for a developer and a sponsor in the agreement. Mr. Ogden explained that the structure was a result of utilizing tax exemptions which benefits both investors and Berkshire Housing. Mr. Rempell also questioned the timing of the payment of the \$2.6 million to Berkshire Housing for Highland Woods. The payment is due 90 to 180 days after the issue of the Certificate of Occupancy. The completion of the Spruces Relocation Grant is independent of the Highland Woods reimbursement. Mr. Fohlin stated that funds from the Spruces Grant cannot be promised to fulfill the \$2.6million for Highland Woods. The town may need to borrow to provide the required funds. Mr. Fohlin referred back to Mr. Rempell question regarding the total amount the town may need to borrow for the grant. Mr. Fohlin advised the board that the town may need to borrow \$4.1million to give to Morgan Management, so that they may give it back to the town. This will create a paper trail for FEMA of the various transactions.
- D.** Option to Sell 330 Cole Avenue. (Wolahan/Ogden) Town counsel needs additional time to approve the documents. The first document was a purchase and sale agreement. Berkshire Funds requested an option to purchase agreement. The option to purchase document was requested because funding, architectural drawings and permitting has not been secured. The option to purchase document allows both parties to discontinue the relationship if all requirements for the project cannot be

obtained. Chairman Allen asked for the addition of the bike path in the agreement. This item will be reconsidered in the future

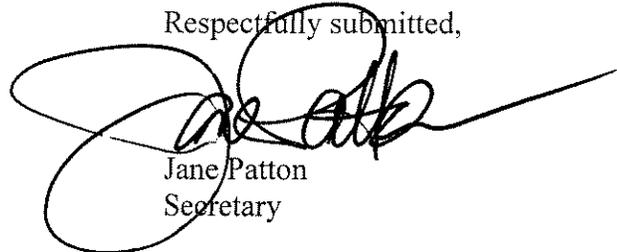
- E.** Vote to Extend Town Manager's Contract. Mr. Rempell made a motion to extend the town manager's contract as written. Ms. Patton seconded the motion. The motion passed 4-0-0.
- F.** Vote to Release Executive Session Minutes (Fohlin) In accordance with the Open Meeting Law, Mr. Rempell made a motion to release all executive sessions from July 2010 to the present. Mr. Sheldon seconded the motion. The motion passed 4-0-0. Minutes from prior years will be examined on a case by case basis for confidential health information on employees in order to comply with HIPAA requirements prior to release. Mr. Sheldon commented that most executive sessions revolve around contract negotiations or litigation issues.
- G.** Report on Public Safety Building Committee (Patton) Ms. Patton reported that a property has been identified for a combined police and fire station. The Village Ambulance Service has the option to occupy the existing fire building should it become available. The committee has contacted the owner to obtain permission to do geo-technical testing and wetlands testing on the property. The owner has asked for considerations currently being reviewed by town counsel. There is currently no agreement on purchase price.
- H.** Appointment of Williamstown Cultural District Coordinator. The town has filed an application, conducted a site visit and on May 20, 2014 will be designated a cultural district. The town will manage the district the first year and determine the work required. The Chamber of Commerce will hopefully assume responsibility for managing the district after the first year. Mr. Rempell made a motion to appoint Jane Allen as the Williamstown Cultural District Coordinator with an option for annual renewal. Ms. Patton seconded the motion. The motion passed 4-0-0.
- I.** Appointment of AHC member to Affordable Housing Trust (Ellet) Van Ellet recommended Craig Clemow fill Cathy Yamamoto's two year term on the Affordable Housing Trust. The bylaw approved at town meeting requires that the trust have five members, one of which is a selectman and one a member of the Affordable Housing Committee. Mr. Sheldon made a motion to appoint Craig Clemow to the Affordable Housing Trust for a two year term. Mr. Rempell seconded the motion. The motion passed 4-0-0.
- J.** Confirmation of Town Manager's Appointment to Historical Commission (Sarah Currie) Mr. Fohlin recommends Sarah Currie, current director of the Historical Museum be appointed to the Historical Commission. Mr. Rempell made a motion to appoint Ms. Currie. Mr. Sheldon seconded the motion. The motion passed 4-0-0.
- K.** Time Warner/ Comcast Application for CATV License Transfer (Fohlin) Comcast is proposing a merger with Time Warner Cable. A ruling is required by the Federal Communication Commission. The Board of Selectmen need to hold a public hearing to determine the suitability of Comcast to assume the Time Warner license. Channel line ups and rates

are not open to discussion. The board may examine their management capabilities, technical expertise, financial capabilities and legal ability to manage the license. The public hearing needs to be held before June 10, 2014. Mr. Rempell made a motion to set a public hearing for June 9, 2014 at 7:05 pm. Mr. Sheldon seconded the motion. The motion passed 4-0-0. Mr. Fohlin's office will draft and submit the notice of public hearing for advertisement.

5. **TOWN MANAGER'S REPORT-** See attached and at www.williamstown.net.
6. **PETITIONER'S REQUEST-** Jean Vankin came before the board asking for a petition of support for the efforts of various labor groups to re-establish a full service hospital at NARH. Chairman Allen recused herself from the discussion due to her involvement with the hospital board. The board opted not to take any action at this time.
7. **OTHER BUSINESS:**
8. A. Mr. Sheldon reported that the Affordable Housing Trust is pursuing a program which allows the trust to provide mortgage assistance to individuals who are obtaining financing through a bank. It is modeled after a program in Lenox which provides up to \$10,000 for individuals to offset things like down payments or closing costs. The trust needs to determine various requirements for the program such as the income range, amounts provided to the home owner and the sales price of the home. The trust is excited about the opportunities this may create for middle income families in Williamstown.

B. Mr. Rempell wanted to thank his fellow board members and the town manager for all their years working together. It was a satisfying experience to serve the town of Williamstown. Chairman Allen echoed Mr. Rempell's sentiments.
9. **ADJOURN.** Mr. Rempell made a motion at 8:35 to adjourn the meeting. Ms., Patton seconded the motion. The motion passed 4-0-0.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'Jane Patton', is written over the typed name and title.

Jane Patton
Secretary