

**AGENDA
WILLIAMSTOWN BOARD OF SELECTMEN**

**MONDAY, JUNE 23, 2014
7:00 P.M.**

TOWN OF WILLIAMSTOWN

JUN 20 2014

TOWN CLERK

Amended 2:10 pm

1. **CHAIRMAN'S OPENING STATEMENT**
2. **SELECTMEN'S MINUTES:** June 9, 2014
3. **PUBLIC HEARINGS-** Set a public hearing for Verizon Job #1A0M5HU Green River Road (3 Poles Installation)
4. **LICENSES AND PERMITS**

Application by Big Elm Brewery for One Day Wine and Malt License for Williamstown Theater Festival Event at Cricket Creek Farm on August 10, 2014 from 3:30-7:45.

Application for three One Day Beer and Wine Licenses for the Trustees of Reservations at Field Farm on July 13, August 10 and September 14, 2014 from 4:00-6:00pm
5. **ITEMS FOR SELECTMEN'S CONSIDERATION:**
 - A. Appointments to Boards and Commissions
 1. Confirmation of Town Manager's appointments to the Conservation Commission - Philip McKnight and Richard Schlesinger. Terms to expire June 30, 2017
 2. Re-appointment of William Barkin to the Historical Commission. Term to expire June 30, 2017
 3. Re-appointment of Dylan Stafford, Leigh Short, and Van Ellet to Affordable Housing Committee. Terms to expire June 30, 2015.
 4. Appointment of William Galusha to the Agricultural Commission Term to expire June 30, 2016
 - B. Grant Agreement with Berkshire Fund, Inc. for Highland Woods \$2,600,000 (Wolahan/Ogden)
 - C. Economic Development Discussion
 - D. Continuing Discussion of Senior Tax Work-off Program
6. **TOWN MANAGER'S REPORT**
7. **PETITIONER REQUESTS**
8. **OTHER BUSINESS**
9. **VOTE TO ADJOURN**

Next Selectmen's meeting is Monday, July 14, 2014 at 7:00 p.m.

MINUTES
WILLIAMSTOWN BOARD OF SELECTMEN
June 23, 2014
7:00 PM

Present: Ron Turbin, Chairman, Tom Sheldon, Jane Patton, Andrew Hogeland, Hugh Daley

Others Present: Peter Fohlin, Debra Turnbull, Elton Ogden, Don Dubendorf, Jen Crowell, Jen Yaneck, Van Ellet

1. **CHAIRMAN'S OPENING STATEMENT**-Chairman Turbin acknowledged the receipt of a \$600,000 grant from the Massachusetts Cultural Facilities Fund to the Clark Art Institute to be used for renovations and system upgrades. Chairman Turbin also reminded the community of the Grand Opening occurring July 4, 2014. Williamstown has become the twenty fifth community to create a state approved cultural district. Chairman Turbin also promoted the Spring Street Farmer's Market which takes place on Saturdays from 9-1. Ms. Patton also introduced the launch of the Destination Williamstown website, designed by Sandra Thomas, as a resource for identifying upcoming events in Williamstown.
2. **SELECTMEN'S MINUTES**- Mr. Sheldon made a motion to approve the minutes for the June 9, 2014 meeting. Ms. Patton seconded the motion. The motion passed 5-0-0
3. **PUBLIC HEARING 7:05**- Mr. Hogeland made a motion to set the public hearing for July 14, 2014 at 7:05 pm for Verizon Job #1A0M5HU for the placement of 3 poles on Green River Road. Ms. Patton seconded the motion. The motion passed 5-0-0.
4. **LICENSES AND PERMITS**-
 - A. Approve Williams Theater Festival One Day Wine and Malt Beverages License on August 10, 2014 from 3:30-7:45pm at Cricket Creek Farm with 300 guests anticipated with presold tickets. The maximum crowd size is 400. Numerous vendors will be selling their products. Big Elm Brewery represented by Jen Yaneck will be providing the beer and wine. The selectmen required a two beer maximum be posted and enforced for each purchase. The board also required a wristband system be utilized to prescreen guests to determine they are of age to purchase alcoholic beverages. A motion was made to approve the one day license by Ms. Patton for Big Elm Brewery. Mr. Hogeland seconded the motion. The motion passed 5-0-0.
 - B. Mr. Hogeland made a motion to approve three one day Wine and Malt Beverages Licenses for the Trustees of Reservations at Field Farm on July 13, August 10 and

September 14, 2014. from 4:00-6:00 pm. Mr. Sheldon seconded the motion. The motion passed 5-0-0.

5. ITEMS FOR SELECTMEN'S CONSIDERATION:

A. Appointments to Boards and Commissions

1. Confirmation of the Town Manager's appointments to the Conservation Commission for Richard Schlesinger and Phil McKnight with terms expiring June 30, 2017. Mr. Sheldon made the motion to confirm the appointments. Ms. Patton seconded the motion. The motion passed 5-0-0.
2. Appoint William Barkin to the Historical Commission with a term to expire June 30, 2017. Mr. Hogeland made a motion to approve the appointment. Mr. Sheldon seconded the motion. The motion passed 5-0-0.
3. Affordable Housing Appointments-Van Ellet appeared before the board representing the Affordable Housing Committee. Mr. Ellet expressed the goals of the committee to identify future affordable housing demands and to develop a long term plan with the Board of Selectmen, Planning Board and Affordable Housing Trust. The committee will reconvene at the end of the summer. Mr. Sheldon made a motion to reappoint Van Ellet, Dylan Stafford and Leigh Short to the AHC. Ms. Patton seconded the motion. The motion passed 5-0-0.
4. Appointment of William Galusha to the Agricultural Commission-Beth Phelps presented herself to the new board and outlined the role of the commission in promoting farming in Williamstown. She supports the appointment of William Galusha to the commission. Mr. Sheldon made a motion to appoint Mr. Galusha to the Ag Comm. Ms. Patton seconded the motion. The motion passed 5-0-0.

- B. Grant Agreement with Berkshire Fund, Inc. for Highland Woods \$2.6 million. (Ogden/Dubendorf)- Mr. Ogden, Berkshire Housing, acknowledged the support of Williamstown in moving the Highland Woods Project forward. Berkshire Fund, Inc. received a commitment letter from their construction funder and are awaiting the governor's announcement regarding funding for the low income housing tax credit. This will allow them to break ground in the fall. There was lengthy discussion regarding the approval of the grant agreement. The document distributed needed a project schedule and budget which will be provided by Mr. Ogden. Mr. Hogeland raised concerns that the contract was not clear on two issues that should be clarified to better protect the Town's interests. One was to clarify what was the consequence of failure to perform within the three year period. The second was the absence of a schedule of milestones. Mr. Fohlin stated that the grant agreement payment is not paid until certain contingencies are met. First, the project must be completed in three years. Secondly, payment is not due until 180 days after the CO is issued. In addition, an affordable housing restriction for the duration of the land lease from Williams College for 99 years is included in the document. If these contingencies are not met the Town is not required to pay. Mr. Dubendorf, attorney for Berkshire Housing, confirmed that the three-year termination language was meant to mean that if no Certificate of Occupancy was issued within three years, then the Town would have no obligation to pay the grant. Mr. Hogeland asked about adding sequential milestones for the construction schedule which the contract requires to be approved

by the Town. Mr. Dubendorf felt that this would make the commitment of the \$2.6 conditional and therefore could jeopardize funding agreements with other parties. Mr. Fohlin also was not in favor of adding and approving sequential milestones because the board changes and their expectations may change as well. Mr. Fohlin stated that the only milestone he wanted would be for the completion of the project in three years. Investors and construction lenders will be monitoring the progress. Mr. Hogeland also noted that the town's obligation to pay \$2.6 million is not tied to the FEMA grant. Mr. Fohlin agreed and stated that the FEMA grant is a reimbursable grant which pays the town after the expenses have been incurred and paid. The FEMA grant awarded to the town totaling \$6.7 million has been designated as follows, \$2 million to relocate residents and \$4.7 million to reimburse Morgan Management which is held in escrow and pays for all expenses associated with the disposal of all trailers, buildings and structures at the Spruces. After these expenses have been reimbursed \$2.6 million may fund the Highland Woods project. Mr. Hogeland was concerned that the Town may need to borrow money if there is a gap between reimbursement to the Town for the expenses to close the park and the \$2.6 million promised to Highland Woods. Mr. Fohlin agreed this could probably happen, and that the Town may also need to borrow if there is a delay in the closure of the park and the completion of Highland Woods occurs earlier than expected. Mr. Dubendorf agreed that the contract required a schedule to be approved by the Town, and that he would provide one for Town approval based on sequential milestones. Mr. Sheldon asked for clarification on the definition of Town in the agreement as to who would approve the schedule. Mr. Fohlin defined the Town as the board of selectmen. Mr. Turbin was concerned that any modification to the contract might make it more difficult for Berkshire Housing to get the rest of their funding documents approved. There was also a concern that Morgan Management may bring litigation against the Town. Mr. Fohlin has found Morgan to be truthful in all their dealings with the Town. Previous litigation was a result of a reaction to the aftermath of Tropical Storm Irene and does not remain a concern. Mr. Hogeland stated he was in favor of the project and the grant, but felt the contract should be more clear on the points discussed, and so would not oppose the contract but would abstain from voting in favor of it as written. Mr. Sheldon made a motion to approve the grant agreement. Ms. Patton seconded the motion. The motion passed 4-0-1. Mr. Hogeland abstained and the documents were signed without his signature.

- C. Economic Development- Mr. Hogeland reported on a meeting with the North Adams planner and raised three points. First, the Town might have to consider hiring a consultant to help with planning. Second, the economic development strategy should work in conjunction with the town's master plan, which is twelve years old. The Planning Board is updating the master plan and should be invited to explain their progress and to make sure the boards are working in collaboration. Third, efforts by Williamstown should work in tandem with other regional initiatives. Mr. Daley followed up with the Williamstown Chamber of Commerce and is considering working with the chamber on an event in late September. The Chamber felt another way to gather information is through an online survey. Mr. Hogeland also suggested considering mailing a survey with a census mailing as North Adams had done. Mr.

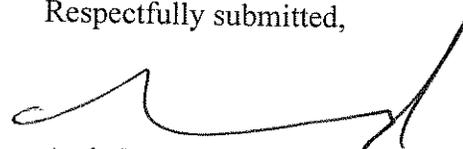
Daley has not been successful in reaching the Economic Development team from Middlebury, VT. He will continue with his efforts to reach them. Mr. Sheldon offered to assist Mr. Daley by using his contacts in Middlebury. Mass Broadband discussion is continuing. This becomes a marketable advantage to the community. Costs and funding sources to bring broadband to Williamstown needs to be identified.

- D. Senior Tax Work-off Program- The board has decided to move forward with three positions for a maximum benefit of \$1000 per applicant. These individuals will not be eligible for the DPW (except administrative) or police department. The school, library and Council on Aging were identified as possible areas for participation. Individuals are town employees and must complete an employment application with Debbie Turnbull at the town manager's office. Applicants must be over 60 years of age and self-certify they are residing in town more than six months of the year. We will provide feedback on the program and how it's working. Residents must apply prior to the setting of the tax rate in September. Individuals who have their homes in a trust must have their name appear on the trust documents in order to participate. The board discussed the possibility of basing eligibility in part on the home valuations of the applicants, but decided not to pursue this. Mr. Hogeland made a motion to approve the draft program guidelines with the addition of a residency requirement. Mr. Sheldon seconded the motion. The motion passed 5-0-0.
6. **TOWN MANAGER'S REPORT-** See attached and at www.williamstown.net. Mr. Fohlin reported that the town received 10 responses to the Solar RFP. Mr. Hogeland volunteered to participate on the RFP review committee.
7. **PETITIONER'S REQUEST-** None
8. **OTHER BUSINESS:** Mr. Sheldon reported that the Affordable Housing Trust is meeting June 25 to approve the new guidelines for housing assistance with the program launching in the fall after review by town counsel.

The select board was notified by Ben Downing's office that Williamstown doesn't have a town flag. Mr. Sheldon is investigating the level of interest with a committee possibly being formed.

9. **ADJOURN.** Ms. Patton made a motion at 9:30 to adjourn the meeting. Mr. Hogeland seconded the motion. The motion passed 5-0-0.

Respectfully submitted,



Andy Hogeland
Secretary