

**WILLIAMSTOWN BOARD OF SELECTMEN  
AGENDA  
MONDAY, APRIL 8, 2013  
7:00 PM**

TOWN OF WILLIAMSTOWN

APR 04 2013

TOWN CLERK

*3:50 pm*

**1. CHAIRMAN'S OPENING STATEMENT:**

**2. SELECTMEN'S MINUTES:**

January 28, 2013, February 25, 2013, March 25, 2013

**3. ITEMS FOR SELECTMEN'S CONSIDERATION:**

- A. Hoxsey Street Block Dance Party (April 20) (Matt Ratajczak)
- B. Run for a Cure (April 28) (Chris Corbett)
- C. Midnight 5K Run from the Cops Fun Run (April 28) (Darren Derby)
- D. Presentation of Citizens' Re-use Concept Plan for the Spruces (Hyde)
- E. Sign Special Town Meeting Warrant April 24
- F. Sign Annual Town Meeting Warrant May 21
- G. HMGP Grant Process Overview
- H. Set FY14 Water Rate
- I. Water and Sewer Warrant - \$310,633.56

**4. LICENSES AND PERMITS (SEASONAL RENEWALS)**

- A. Williamstown Theatre Festival, 1000 Main St., Ira Lapidus, Manager
  - Seasonal All Alcoholic Beverage License
  - Seasonal Live Music License, Sunday License
- B. Williamstown Theatre Festival Cabaret, 369 Main Street, Ira Lapidus, Manager
  - Seasonal All Alcoholic Beverage License (to be issued upon receipt of Cert. of q Occupancy)
  - Seasonal Live Music

**5. TOWN MANAGER'S REPORT:**

**6. PETITIONER'S REQUEST:**

**7. OTHER BUSINESS:**

**8. ADJOURN: Vote to go into executive session to conduct a strategy session in preparation for negotiations with nonunion personnel (town manager) and not to reconvene in open session.**

Joint meeting of Selectmen and Finance Comm. April 11, 2013, 7 p.m..  
Regular meeting – April 22, 2013, 7 p.m.

**WILLIAMSTOWN BOARD OF SELECTMEN  
MINUTES  
MONDAY, APRIL 8, 2013  
7:00 PM**

**Present:** David A. Rempell, Chairman, Thomas E. Sheldon, Tom Costley, Jane B. Allen, Ronald Turbin

**Others Present:** Andrew Groff, Thomas Hyde, Dan Gendron, Charlene Blood, Cathy Yamamoto, Craig Clemow, Janet Saddler, Donna Estes, Hank Art, Sarah Thurston, Ken Swiatek, Robert Scerbo, Tim Kaiser, Kyle Johnson, Matthew Ratajczak, Katherine Belk, Lizzy Kildahl, Christopher Corbett, Darren Derby, Peter Fohlin, Kathy Poirot

**1. CHAIRMAN'S OPENING STATEMENT:** Mr. Rempell laid the ground rules and expectations to the audience for the meeting. He said he expected that the audience be respectful and considerate when others are speaking and to keep comments to themselves unless they have been given permission to speak.

**2. SELECTMEN'S MINUTES:**

**January 28, 2013** – Ms. Allen asked that the Board review a sentence on the third page with regard to “selectmen... in agreement with Mr. McCarthy regarding realigning the road”. Mr. Turbin moved to delete the sentence and said that the motion more accurately was as follows, “Mr. Sheldon moved that the town manager draft a letter to MADOT thanking them for the study and the steps toward remediation they have decided to undertake and further to request that MADOT undertake further study about the realignment of the road”. Mr. Turbin moved to approve the January 28, 2013 minutes as amended. Ms. Allen seconded and the motion carried 5-0-0.

**February 25, 2013** - Ms. Allen moved to approve the February 25, 2013 minutes. Mr. Turbin seconded and the motion carried. 3-0-2. Mr. Costley and Mr. Sheldon abstained.

**March 25, 2013** – Ms. Allen moved to approve the March 25, 2013 minutes. Mr. Turbin seconded and the motion carried 4-0-1. Mr. Rempell abstained.

**3. ITEMS FOR SELECTMEN'S CONSIDERATION:**

**A. Hoxsey Street Block Dance Party (April 20)** Matt Ratajczak, Catherine Belk and Lizzy Kildahl requested to close a portion of Hoxey Street between #62 and #71 for the purpose of a dance party to raise funds for the Reclaim Childhood Organization. Chief Johnson will work with them. Mr. Costley moved to approve. Mr. Sheldon seconded and the motion carried 5-0-0.

**B. Run for a Cure, Williams College 17<sup>th</sup> Annual (April 28)** Chris Corbett – Ms. Allen moved to approve the use of town roads. Mr. Costley seconded and the motion carried 5-0-0.

**C. Midnight 5K Run from the Cops Fun Run (April 28)** Darren Derby explained the run is sponsored by the Law Enforcement Torch Run Program to raise awareness for Special Olympics athletes. The run will last approximately 1 ½ hours. The route was provided in the selectmen's packets. Ms. Allen moved to allow the closure of Spring Street between the hours of 11:30 p.m. and 1 a.m. Mr. Turbin seconded and the motion carried 5-0-0.

**D. Presentation of Citizens' Re-use Concept Plan for the Spruces** – Thomas Hyde presented a conceptual map of possible uses for the Spruces property if the town should assume ownership of the property. He said a subcommittee of himself, a member of the Hoosac Watershed Association, former selectman John Madden, Architect Libby Bartels and Town Planner Andrew Groff, and have come up with some ideas. The plan involves agricultural and recreational ideas that include farmland, tennis courts, picnic areas, a dog park, farmer's market area and parking, along with access to the river. **(Concept plan Attachment A)**

**E. Sign Special Town Meeting Warrant April 24** – A special town meeting has been scheduled at 7:25 p.m. preceding the special town meeting at 7:30 p.m. This special town meeting will include a warrant article that was not adopted for placement on the special town meeting because it lacked enough votes at the March 25, 2013 selectmen's meeting. Mr. Rempell said the article should have been adopted at that meeting in order to allow the citizens the opportunity to vote on it at the special town meeting. Mr. Rempell was not at the March 25<sup>th</sup> meeting. The article asks voters to accept the last paragraph of G.L. c. 40, section 15A, which provides for transfers of land for the purpose of constructing low and moderate income housing by a majority vote. Mr. Rempell moved to adopt and recommend Article 1 and sign the special town meeting warrant. Ms. Allen seconded and the motion carried 4-1-0. Mr. Turbin voted nay.

**F. Sign Annual Town Meeting Warrant May 21** - Selectmen voted recommendations for warrant articles 3 – 40 as follows:

Article 3 – Vote to transfer the sum of \$341,000 from the General Fund Unreserved Fund Balance to reduce the tax rate – Mr. Costley moved to recommend adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 4 – Vote to raise and appropriate or appropriate from available funds in the treasury, the sum of \$457,955 to pay interest and maturing debt – Mr. Costley moved to recommend adoption of the article. Ms. Allen seconded and the motion carried 5-0-0.

Article 5 – Vote to raise and appropriate \$6,520,084 from taxation; that \$117,081 be appropriated from estimated water receipts; that \$82,219 be appropriated from estimated sewer receipts; that \$3,000 be appropriated from cemetery perpetual care trust fund; and that \$5,290 be appropriated from the Sherman Burbank Memorial Trust Fund – Mr. Costley moved to recommend adoption of this article. Mr. Sheldon seconded and the motion carried 5-0-0.

Article 6 – Vote to raise and appropriate the sum of \$5,494,774 from taxation to pay charges, expenses and outlays of the School Department for the ensuing year – Mr. Costley moved to recommend adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 7 – Vote to raise and appropriate the sum of \$267,523 being Williamstown's share of the Northern Berkshire Vocational Regional School District 2013-2014 budget – Mr. Costley moved to recommend adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 8 – Vote to raise and appropriate \$4,559,872 being Williamstown’s share of the Mount Greylock Regional School District 2013-2014 budget – Mr. Costley moved to recommend adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 9 – Vote to raise and appropriate the sum of \$718,254 for capital expenditures as listed by item, department and amount, \$518, 254 from taxation, \$110,000 from estimated water receipts and \$90,000 from estimated sewer receipts (See article 9). Mr. Costley moved to recommend adoption. Mr. Turbin seconded and the motion carried 5-0-0.

Article 10 – Vote to raise and appropriate the sum of \$75,000 for the Finance Committee Reserve Fund. Mr. Costley moved to recommend adoption. Ms. Allen seconded and the motion carried 5-0-0.

Article 11 – Vote to raise and appropriate \$25,000 for the Stabilization Fund – Mr. Costley moved to recommend adoption. Ms. Allen seconded and the motion carried 5-0-0.

Article 12 – Vote to accept M.G.L. Chapter 32B, Section 20, authorizing the establishment of a separate fund to be known as the Other Post Employment Benefits Liability Trust Fund as outlined in the statute – Mr. Costley moved to recommend adoption of this article. Mr. Sheldon seconded and the motion carried 5-0-0.

Article 13 – Vote to transfer from Unreserved Fund Balance the sum of \$150,000 to be placed in the Other Post Employment Benefits Liability Trust Fund, established under the provisions of M.G.L. Chapter 32B, Section 20 – Mr. Costley moved to recommend adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 14 – Vote pursuant to G.L. c. 40, Section 6A, to appropriate the sum of \$40,066 for the Williamstown Chamber of Commerce to advertise the Town’s resources, advantages and attractions – Mr. Costley moved to recommend adoption of this article. Mr. Turbin seconded and the motion carried 5-0-0.

Article 15 – Vote to support a decision by the Board of Selectmen to grant a real property tax exemption for certain small commercial properties per G.L. Ch.59, section 51 – Mr. Rempell moved to recommend adoption of this article. There was no second. Article failed.

Article 16 – Vote to raise and appropriate \$68,563 for the Williamstown Youth Center to provide youth recreation services – Mr. Turbin moved to recommend adoption. Mr. Sheldon seconded and the motion carried 4-0-1. Mr. Rempell abstained.

Article 17 – Vote to authorize the use of a revolving fund for the purpose of purchasing library supplies, services, and equipment which fund shall be credited with receipts from all fees and fines collected under the authority and direction of the Library Trustees, such expenditures not to exceed Twenty-Five Thousand (\$25,000) Dollars – Ms. Allen moved to recommend adoption of this article. Mr. Turbin seconded and the motion carried 5-0-0.

Article 18 – Vote to appropriate from estimated sewer receipts the sum of \$1,094,429 – Mr. Turbin moved to recommend adoption of this article. Mr. Costley seconded and the motion carried 5-0-0.

Article 19 – Vote to appropriate from estimated water receipts the sum of \$904,729 – Mr. Sheldon moved to recommend adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 20 – Vote to approve a municipal water rate of \$3.79 per 100 cubic fee of water as fixed by the Board of Selectmen at their meeting of April 8 to be effective July 1, 2013 – Mr. Sheldon moved to recommend adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 21 – Vote to appropriate from estimated transfer station receipts the sum of \$179,730 – Mr. Turbin moved to recommend adoption. Ms. Allen seconded and the motion carried 5-0-0.

Article 22 – vote to raise and appropriate from Chapter 90 funds that are or may become available to the Town during the fiscal year for Capital Projects and to authorize the Treasure to borrow such amounts in anticipation of reimbursement by the Commonwealth – Mr. Turbin moved to recommend adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 23 – Vote to discontinue Stetson Court as a public way – Mr. Costley moved to recommend adoption. Ms. Allen seconded and the motion carried 5-0-0.

Article 24 – Vote to appropriate \$160,000 from Unreserved Fund Balance for an alternate site locations study, architectural, and engineering services to prepare plans for a new police station and to request the Board of Selectmen to negotiate the acquisition of a suitable site as defined by the study – Mr. Turbin moved to recommend adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 25 – Vote to hear and act on the report of the Community Preservation Committee for Fiscal Year 2014 Community Preservation budget and to appropriate from the CP Fund estimated annual revenues the sum of Ten Thousand Dollars (\$10,000) to meet the administrative expenses of the CP Committee for Fiscal Year 2014, and further reserve for future appropriation the sums of Twenty Nine Thousand Dollars (\$29,000) for open space purposes and Three Thousand Dollars (\$3,000) for historic preservation purposes – Mr. Costley moved to recommend adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 26 – Vote to appropriate from Community Preservation Fund estimated annual revenues, for historic resources purposes under the CPA, the sum of Twenty Five Thousand Dollars (\$25,000) to be expended under the direction of the Parks and Cemeteries Superintendent with assistance of the South Williamstown historical committee for the preservation of historic gravestones at Southlawn Cemetery – Mr. Sheldon moved to recommend adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 27 – Vote to appropriate from Community Preservation Fund estimated annual revenues, for historic resources purposes under the CPA, the sum of Two Thousand Dollars (\$2,000) to fund a grant to David and Judy Loomis for the restoration and preservation of a chimney at the Colonel Benjamin Simonds House, 643 Simonds Road to be expended under the direction of the Williamstown Historical Commission – Ms. Allen moved to recommend adoption of this article. Mr. Sheldon seconded and the motion carried 5-0-0.

Article 28 – Vote to appropriate from the Community Preservation Fund estimated annual revenues, for community housing purposes under the CPA, the sum of Two Hundred Thousand Dollars (\$200,000) to be deposited in the Affordable Housing Trust Fund for the purpose of creating community housing – Mr. Sheldon moved to recommend the adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 29 – Vote to appropriate from the Community Preservation Fund estimated annual revenues, for recreation purposes under the CPA, the sum of Sixty Five Thousand Dollars (\$65,000) for the purpose of the Conservation Commission’s rehabilitating and restoring of public drinking water supply at Margaret Lindley Park – Mr. Costley moved to recommend adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 30 – Festivals Bylaw – after a short discussion that the bylaw would need more study. No vote was taken to recommend the adoption of the article.

Article 31 – Vote as authorized by M.G.L., Chapter 6, Section 172B ½, to adopt a Civil Fingerprinting Bylaw to conduct State and Federal Fingerprint Based Criminal History Checks for individuals applying for certain occupational licenses. Mr. Costley moved to recommend the adoption of this article. Mr. Sheldon seconded and the motion carried 5-0-0. Ms. Allen moved to set the fee at Fifty Dollars (\$50). Mr. Costley seconded and the motion carried 5-0-0.

Article 32 – Vote to amend Zoning Bylaw by updating zoning map entitled Town of Williamstown – Zoning Districts by updating map references to refer back to the Town’s GIS System - Ms. Allen recommend adoption of this article. Mr. Costley seconded and the motion carried 5-0-0.

Article 33 – Vote to amend Zoning Bylaw by correcting planned business district map by extending the existing Planned Business Zoning Districts to include the following parcels which are presently zoned General Residence 1; Assessor’s Parcels 121-107 & 111-29– Ms. Allen moved to recommend adoption of this article. Mr. Costley seconded and the motion carried 5-0-0.

Article 34 – Vote Zoning By Law Amendment – North Street Rezoning (Limited Business) – Ms. Allen moved to recommend adoption of this article. Mr. Turbin seconded and the motion carried 5-0-0.

Article 35 – Vote Zoning By Law Amendment – Cold Spring Road Rezoning (Southern Gateway) – Ms. Allen moved to recommend adoption of this article. Mr. Turbin seconded and the motion carried 5-0-0.

Article 36 – Vote Zoning By Law Amendment – Permitting Bed & Breakfasts (Tourist Homes) in Rural Zones – Ms. Allen moved to recommend adoption of this article. Mr. Turbin seconded and the motion carried 5-0-0.

Article 37 – Vote Zoning By Law Amendment – Combining of General Residence Districts – Ms. Allen moved to recommend adoption of this article. Mr. Turbin seconded and the motion carried 5-0-0.

Article 38 – Citizen's Petition – Vote to appropriate from the general fund and/or the Community Preservation fund the sum of \$365,000 to be provided to a "Save The Spruces" tenants cooperative effort which will permit residents to purchase the park, etc. Mr. Costley moved to vote against adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 39 - Citizen's Petition – Vote Acceptance of General Law Chapter 40, Section 15A, last paragraph – Mr. Costley moved to recommend adoption of this article. Ms. Allen seconded and the motion carried 4-1-0. Mr. Turbin voted nay.

Article 40 – Citizen's Petition – Vote to transfer a portion of the Lowry property shown on a conceptual site on file with the Town Clerk... said transfer to be from the Conservation Commission to the Board of Selectmen for affordable housing purposes...etc. (Article 40 attachment B) - Mr. Costley moved to recommend adoption of this article. Mr. Sheldon seconded and the motion carried 5-0-0.

Ms. Allen moved to sign the Annual Town Meeting Warrant dated May 21, 2013. Mr. Costley seconded and the motion carried 5-0-0.

**G. HMGP Grant Process Overview** - Mr. Fohlin gave a power point presentation showing the breakdown of the \$6.13 million grant, explaining that Morgan Management will essentially receive \$600,000, the residents - \$1,485,000, Town for cleanup - \$418,300, Affordable Housing Trust - \$3,000,000 and a contingency fund of \$626,700. The obligations attached to the grant are that residents demolish and dispose of their trailers within 3 years, Morgan Management produce a clean title, and donate the land and the grant money to the town. The Selectmen will have the legal obligation to give tenants at least 2 years notice to vacate and to relocate them with grant money under the Federal Uniform Relocation Act.

**H. Set FY14 Water Rate** – Ms. Allen moved to set the FY14 water rate at \$3.79 per 100 cubic feet. Mr. Costley seconded and the motion carried 5-0-0.

**I. Water and Sewer Warrant** - \$310,633.56 – Ms. Allen moved to approve the warrant in the amount of \$310,633.56. Mr. Turbin seconded and the motion carried 5-0-0.

#### **4. LICENSES AND PERMITS (SEASONAL RENEWALS)**

- A. Williamstown Theatre Festival, 1000 Main St., Ira Lapidus, Manager
  - Seasonal All Alcoholic Beverage License
  - Seasonal Live Music License, Sunday License

- B.** Williamstown Theatre Festival Cabaret, 369 Main Street, Ira Lapidus, Manager  
Seasonal All Alcoholic Beverage License (to be issued upon receipt of Cert. of q  
Occupancy)  
Seasonal Live Music

Ms. Allen stated, in reviewing both seasonal liquor license renewals, that Mr. Lapidus was listed as liquor manager. She reminded the Board that in a previous meeting a hearing was held due to a compliance failure by the WTF at its Main Street location. At that hearing she recalled that Mr. Lapidus said he was rarely at the licensed locations and that he was no longer the President of the Board of Directors. Mr. Lapidus also said he will be stepping down and that plans will be made to appoint a new liquor manager as soon as possible. Ms. Patton, who accompanied Mr. Lapidus to that hearing, said the WTF plans to make a decision as soon as they have identified the a new manager.

After a short discussion, the town manager said he would contact Mr. Lapidus and let him know that this Board expects to receive an application to appoint a new manager as soon as possible. Mr. Turbin moved to approve the seasonal all alcoholic beverage license renewals and live music both the Williamstown Theater Festival at 1000 Main Street and at the Williamstown Theatre Festival Cabaret at 369 Main Street and a Sunday entertainment license for the WTF Main Street. Mr. Sheldon seconded and the motion carried 3-2-0. Ms. Allen and Mr. Costley opposed.

**5. TOWN MANAGER'S REPORT:** See attached or go to [www.williamstown.net](http://www.williamstown.net)

**6. PETITIONER'S REQUEST:** None.

**7. OTHER BUSINESS:** Mr. Rempell announced that on April 11 at 7 p.m. Selectmen and the Finance Committee will meet in a joint session to hear a Regional District Amendment Committee preliminary discussion.

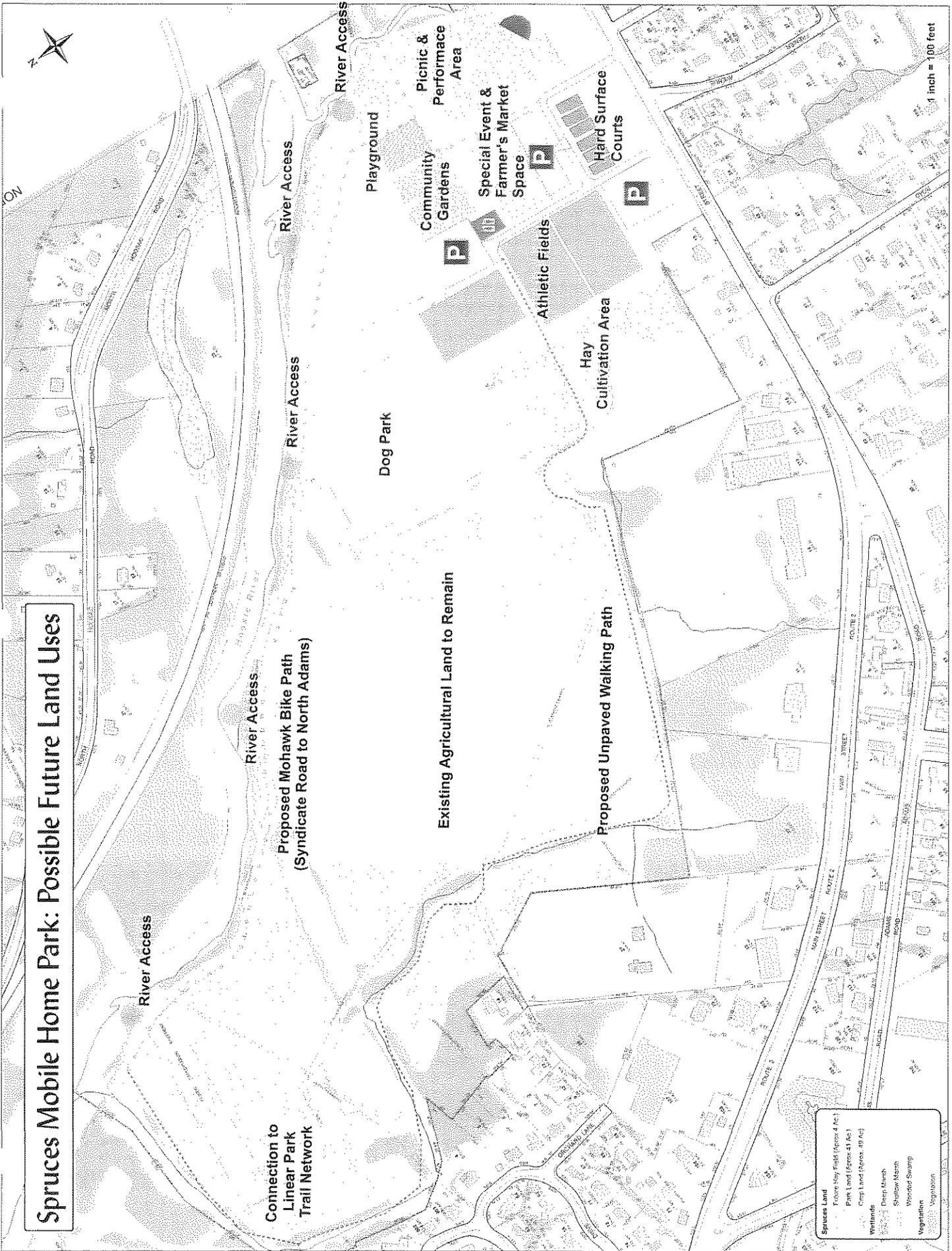
And, on April 18 at 7pm Selectmen and the Conservation Commission will meet in a joint session to discuss the formation of a committee for design of the Spruces land and discuss use and management of town lands. The next regular selectmen's meeting is April 22, 2013 at 7 p.m.

**8. ADJOURN:** Ms. Allen moved to vote to go into executive session at 10:10 p.m. to conduct a strategy session in preparation for negotiations with nonunion personnel (town manager) and not to reconvene in open session. Mr. Costley seconded and the motion carried by roll call vote: Aye, Ronald Turbin, Aye, Jane Allen, Aye, David Rempell, Aye, Tom Costley, and Aye, Thomas Sheldon.

Respectfully submitted,

  
Ronald Turbin, Secretary

# Spruces Mobile Home Park: Possible Future Land Uses



<b>Spruces Land</b>	Future City Field (Approx. 4 Ac.)
	Park Land (Approx. 41 Ac.)
	Camp Land (Approx. 19 Ac.)
<b>Wetlands</b>	Deep Marsh
	Shallow Marsh
	Wooded Swamp
<b>Vegetation</b>	Vegetation

1 inch = 100 feet