

**WILLIAMSTOWN BOARD OF SELECTMEN  
MINUTES  
MONDAY, JANUARY 14, 2013  
7:00 PM**

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

**Others Present:** Jane Hudson, Robert Mazzu, Ken Swiatek, Peter Fohlin, Kathy Poirot

**1. CHAIRMAN'S OPENING STATEMENT:** Mr. Rempell reminded everyone that Open Burning Season begins January 15<sup>th</sup> and ends April 30<sup>th</sup>. Requests for permits must be made with the Forest Wardens office between 8 am and 12 pm. More details are located on the Town's website and pamphlets are in the Town Hall's foyer.

Ms. Allen stated that Police Chief Kyle Johnson notified the Selectmen on December 19<sup>th</sup> that a compliance check was held December 18<sup>th</sup> with compliance at 100% (23 of 23 passed). She gave a shout out to the establishments' managers for helping us create a culture of compliance.

**2. SELECTMEN'S MINUTES:** December 10, 2012 and December 24, 2012 Special Meeting - Mr. Costley moved to approve the December 10, 2012 minutes. Ms. Allen seconded and the motion carried 5-0-0. Mr. Sheldon moved to approve the December 24, 2012 Special Meeting minutes. Mr. Turbin seconded and the motion carried 4-0-1. Ms. Allen abstained.

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

**A.** Selectmen's Appointment – Northern Berkshire Cultural Council Jane Hudson (2015)

Mr. Sheldon moved to approve the appointment of Jane Hudson to the Northern Berkshire Cultural Council for a three-year term, expiring June 30, 2015. Mr. Turbin seconded and the motion carried 5-0-0.

**B.** Water & Sewer Warrant - \$271,379.79 – Ms. Allen moved to approve the water and sewer warrant in the amount of \$271,379.79. Mr. Costley seconded and the motion carried 5-0-0.

**C.** Reconsideration of ABCC Recommendations to Amended Liquor License Application for M&M Plus Enterprises, Inc., d/b/a Desperados. Mr. Mazzu, owner of M&M Plus Enterprises, Inc., d/b/a Desperados, explained that although the Board approved his application for a new liquor license on December 24, 2012, the ABCC investigator required that he provide additional information for parts of the application that were either missing or incorrect. The state/ABCC requires that the local licensing board approve the additional information before the applicant can forward it to the investigator for further processing of the application. (Documents are filed in the Town Manager's Office) Ms. Allen approved the amendments as presented. Mr. Sheldon seconded and the motion carried 5-0-0.

**D.** Set Public Hearing Date and Time for a Request from HHC Orchards, LP, d/b/a The Orchards, 206 Adams Road, for a Transfer of an All Alcoholic Beverage Innholder's License from HCC Orchards, LLC, d/b/a The Orchards. (Monday, January 28, 2013 at 7:05 p.m.) No Action was taken.

**E.** Response to Swiatek Open Meeting Complaint – Mr. Rempell read aloud a formal response, written by town counsel Brian Riley of Kopelman and Paige, to the Attorney General’s Office regarding Mr. Swiatek’s complaint that the Board of Selectmen violated the Open Meeting Law regarding a proposal to acquire the Spruces Mobile Home Park. (Attachment A) Mr. Costley moved to approve town counsel’s written response and its mailing to the Attorney General’s office. Mr. Sheldon seconded and the motion carried 5-0-0.

**4. LICENSES AND PERMITS:**

**A.** Three One-Day Wine and Malt Liquor License Requests from the President and Trustees of Williams College for:

**Saturday, February 9, 2013** from 6:30 – 7:30 p.m. at the ’62 CTD Center Stage Lobby for “Cocktails & Context”

**Wednesday, February 27, 2013** from 6:30 – 7:30 p.m. at the ’62 CTD Center Stage Lobby for “Cocktails & Context”

**Saturday, March 9, 2013** from 10 p.m. – 2 a.m. at Paresky for “100 Days Dance”

Ms. Allen moved to approve the three one-day wine and malt liquor licenses as requested. Mr. Costley seconded and the motion carried 5-0-0.

**5. TOWN MANAGER’S REPORT:** See attached report or at [www.williamstown.net](http://www.williamstown.net)

**6. PETITIONER’S REQUEST:** None

**7. OTHER BUSINESS:** Mr. Rempell said there will be a joint meeting of the Finance Committee and the Board of Selectmen for the FY14 Budget presentation on Thursday, February 28, 2013 at 7 pm.

Mr. Sheldon said at their December 5, 2012 meeting, the Affordable Housing Trust Board voted to support the Lowry Property as a method of dealing with the relocation of the Spruces residents and also approved their Community Preservation Act application for submission to the Community Preservation Committee. The Board met again on January 9.

**8. ADJOURN:** Mr. Costley moved to adjourn at 7:30 p.m. Ms. Allen seconded and the motion carried 5-0-0. The next Selectmen’s Meeting is Monday, January 28, 2013 at 7:00 p.m.

Respectfully submitted,

Ronald Turbin, Secretary