

**AGENDA
WILLIAMSTOWN BOARD OF SELECTMEN
MONDAY, APRIL 9, 2012
7:00 P.M.**

- 1. CHAIRMAN'S OPENING STATEMENT:**
- 2. SELECTMEN'S MINUTES:** March 26, 2012; Executive Sessions March 12 and 26, 2012
- 3. ITEMS FOR SELECTMEN'S CONSIDERATION:**
 - A. 16th Annual Williams College Run for a Cure (Chris Corbett)
 - B. FY11 Audit Report (Adelson, Moynihan & Kowalczyk)
 - C. Northern Berkshire Vocational Regional School District Agreement
 - D. Set FY13 Tax Rage
 - E. Annual Town Meeting Warrant
- 4. TOWN MANAGER'S REPORT**
- 5. PETITIONER'S REQUEST:**
- 6. OTHER BUSINESS:**
- 7. ADJOURN:**

Next Selectmen's meeting is Monday, April 23, 2012 at 7 p.m.

MINUTES
WILLIAMSTOWN BOARD OF SELECTMEN
MONDAY, APRIL 9, 2012
7:00 P.M.

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

Others Present: James Gazzaniga, Tom Mahar, Mark Gold, James Brosnan, Dan Malloy, Chris Corbett, David Irwin, Vincent Viscuso, Peter Fohlin, Kathy Poirot

8. CHAIRMAN'S OPENING STATEMENT: None

9. SELECTMEN'S MINUTES: March 26, 2012; Executive Sessions March 12 and 26, 2012 – Mr. Rempell moved to approve the March 26, 2012 minutes. Mr. Turbin seconded and the motion carried with one abstention by Mr. Costley. Mr. Turbin moved to approve the March 12, 2012 Executive Session minutes. Ms. Allen seconded and the motion carried unanimously. Mr. Turbin moved to approve the March 26, 2012 Executive Session minutes. Mr. Rempell seconded and the motion carried with one abstention by Mr. Costley.

10. ITEMS FOR SELECTMEN'S CONSIDERATION:

A. 16th Annual Williams College Race for a Cure (Chris Corbett) – Ms. Allen moved to approve the route for the 16th Annual Williams College Race for a Cure on Sunday, April 29, 2012, starting at 2 p.m. Mr. Costley seconded and the motion carried unanimously.

B. FY11 Audit Report (Adelson Moynihan & Kowalczyk)
Vincent T. Viscuso – Partner and David Irwin – Audit Manager

Mr. Viscuso said no significant issues were found in the town's financial obligations and all accounting principles were met. He said the town has collected 98% of its tax levy and collected \$325,000 better than the actual budget. Mr. Rempell asked how it was possible to collect more than was billed. Mr. Fohlin said the town never budgets to receive every last dollar of revenue because some people don't pay. Mr. Viscuso said the audit included a second accounting method following Governmental Accounting Standards Board rules or GASB that reported net assets on June 30, 2011 of \$32.5 million, a decrease over the previous year due to an increase in business assets and a decrease in governmental assets because of unfunded post-employment obligations. There was a decrease in assets of \$980,000. Mr. Fohlin responded to questions from the Board stating that the depreciation of the town's buildings was for accounting purposes but did not really express the value of the buildings. He said the town is looking at \$21 million in unpaid health benefits obligations for retirees. Mr. Rempell asked what the percentage of that amount is a reasonable obligation and what is unreasonable in that there may be a problem in 10 years by meeting those obligations. Mr. Viscuso said the number was fluid and projected out over many years and will

change depending on factors that would include the number of employees, cost of health benefits and the percentage the town pays. Mr. Irwin said there were only a few minor bookkeeping recommendations that included providing advanced government accounting training for the finance director. A copy of the FY11 Audit Report is located in the Town Manager's office.

C. Northern Berkshire Vocational Regional School District Agreement – Dan Malloy, NBVRSD School Committee Chairman summarized some of the school's capital improvements that have been done and said that with some left over money anticipated this year, there are plans to repave the parking lot. Superintendent Brosnan presented an amended District Agreement which included a proposed expansion of the District to include Lanesboro and Cheshire. A draft copy of the Agreement is located in the Town Manager's office.

D. Set FY13 Water Rate – Mr. Costley moved to set the FY13 Water Rate at \$3.79 per 100 cubic feet of water effective July 1, 2012. Ms. Allen seconded and the motion carried unanimously.

E. Annual Town Meeting Warrant – Selectmen voted recommendations for warrant articles 3 – 33 as follows:

Article 3 – Vote to transfer the sum of \$334,562 from the General Fund Unreserved Fund Balance to reduce the tax rate – Ms. Allen moved to recommend the adoption of this article. Mr. Costley 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 \$468,722 to pay interest and maturing debt – Mr. Costley moved to recommend the adoption of this article. Mr. Rempell seconded and the motion carried 5-0-0.

Article 5 – Vote to raise and appropriate \$6,361,871; that \$117,081 be appropriated from Estimated Water Receipts; that \$82,219 be appropriated from Estimated Sewer Receipts; that \$3,000 be appropriated from the Cemetery Perpetual Care Trust Fund; and that \$6,290 be appropriated from the Sherman Burbank Memorial Trust - Mr. Turbin moved to recommend the adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 6 – Vote to raise and appropriate the sum of \$5,366.774 from taxation to pay interest and maturing debt, and pay charges, expenses and outlays of the School Department for the ensuing year – Mr. Costley moved to recommend the adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 7 – Vote to raise and appropriate the sum of \$300,298, being Williamstown's share of the Northern Berkshire Regional School District 2012-13 fiscal budget – Ms. Allen moved to recommend the adoption of this article. Mr. Turbin seconded and the motion carried 5-0-0.

Article 8 – Vote to raise and appropriate the sum of \$4,610,041 from taxation being the Williamstown’s share of the Mount Greylock Regional Vocational School District 2012-13 fiscal budget – Ms. Allen moved to recommend the adoption of this article. Mr. Costley seconded and the motion carried unanimously 5-0-0.

Article 9 – Vote to amend the 1958 Northern Berkshire Vocational Regional School District Agreement as proposed by the District School Committee, a copy of which has been filed with the Board of Selectmen and is on file in the office of the Town Clerk – Ms. Allen moved to recommend the adoption of this article. Mr. Costley seconded and the motion carried 5-0-0.

Article 10 – Vote to raise and appropriate the sum of \$504,246 from taxation, that \$143,295 be allocated from Unreserved Fund Balance, that \$90,000 be raised and appropriated from Estimated Water Receipts, and that \$97,274 be raised and appropriated from Estimated Sewer Receipts and that \$2,726 be appropriated from Sewer Fund Unreserved Fund Balance – Mr. Costley moved to recommend the adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 11 – Vote to raise and appropriate the sum of \$75,000 for the Finance Committee Reserve Fund – Mr. Costley moved to recommend this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 12 – Vote to raise and appropriate the sum of \$100,000 for the Stabilization Fund – Ms. Allen moved to recommend the adoption of this article. Mr. Turbin seconded and the motion carried 5-0-0.

Article 13 – Vote to raise and appropriate the sum of \$38,641 for the Williamstown Chamber of Commerce – Mr. Costley moved to recommend the adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 14 – Vote to raise and appropriate the sum of \$66,961 to support the Williamstown Youth Center – Mr. Turbin moved to recommend the adoption of this article. Ms. Allen seconded and the motion carried 4-0-1 with an abstention by Mr. Rempell.

Article 15 – Vote to authorize the use of a revolving fund for the purpose of purchasing library supplies, services and equipment, which fund shall be created with receipts from all fees and fines collected under the authority and direction of the Library Trustees, such expenditures not to exceed \$25,000 – Ms. Allen moved to recommend the adoption of this article. Mr. Rempell seconded and the motion carried 5-0-0.

Article 16 – Vote to appropriate the sum of \$1,192,099 from Estimated Sewer Receipts and the sum of \$50,000 from Sewer Fund Unreserved Fund Balance to

pay interest and maturing debt, and for charges, expenses and outlays of the Sewer Department – Mr. Costley moved to recommend the adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 17 – Vote to appropriate the sum of \$839,963 from Estimated Water Receipts and the sum of \$50,000 from Water Fund Unreserved Fund Balance to pay interest and maturing debt, and for charges, expenses and outlays of the Water Department – Mr. Costley moved to recommend the adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 18 – Vote to approve a municipal water rate of \$3.79 per 100 cubic feet. Mr. Costley moved to recommend the adoption of the article. Ms. Allen seconded and the motion carried 5-0-0.

Article 19 – Vote to appropriate the sum \$157,142 from Estimated Transfer Station Receipts and \$30,000 from Transfer Station Unreserved Fund Balance to pay interest and maturing debt, and for charges, expenses and outlays of the Transfer Station Department - Mr. Costley moved to recommend the adoption of this article. Ms. Allen seconded and the motion carried 5-0-0.

Article 20 – Vote to 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 Treasurer to borrow such amounts in anticipation of reimbursement by the Commonwealth – Ms. Allen moved to recommend the adoption of this article. Mr. Turbin seconded and the motion carried 5-0-0.

Article 21 – Vote acceptance of General Law Chapter 60A, Section 1 as Amended by Section 16 of Chapter 182 of the Acts of 2008 that excise tax shall not apply to motor vehicles owned and registered by a resident who is in active and full-time military service as a member in the armed forces of the United States or the national guard, army or air, of any state, and has been deployed or stationed outside the territorial boundaries of the continental United States for a period of at least 45 days in the calendar year of the exemption and so on ... a municipality which accepts this provision shall in connection with the issuance of warrant to collect unpaid motor vehicle or trailer excise tax from a delinquent taxpayer, add \$3 to the demand fee – Mr. Rempell moved to recommend the adoption of this article. Mr. Turbin seconded and the motion carried 5-0-0.

Article 22 – Vote acceptance of the provisions of General Laws Chapter 44, Section 55C, establishing a trust to be known as the Williamstown Affordable Housing Trust Fund as described in this article – Mr. Costley moved to recommend adoption this article. Mr. Rempell seconded and the motion carried 5-0-0.

Article 23 – Vote to appropriate from the Community Preservation Fund, estimated annual revenues for community housing purposes under the

Community Preservation Act, the sum of \$200,000, to be deposited into the Affordable Housing Trust Fund established by Article 21 of the 2012 Annual Town Meeting Warrant – Ms. Allen moved to recommend the adoption of this article. Mr. Costley seconded and the motion carried 5-0-0.

Article 24 – Vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2013 Community Preservation budget, and to appropriate from the Community Preservation revenues, the sum of \$10,000 to meet the administrative expenses of the CPC for Fiscal Year 2013, and further to reserve for future appropriation the sum of \$29,000 for open space purposes – Ms. Allen moved to recommend the adoption of this article. Mr. Costley seconded and the motion carried 5-0-0.

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

Article 26 – Vote to appropriate from the Community Preservation Fund, estimated annual revenues for historic resources under the CPA, the sum of \$4,000, to be expended under the direction of the Parks and Cemetery Superintendent for the preservation of the 1753 House located at Field Park – Ms. Allen moved to recommend this article. Mr. Costley seconded and the motion carried 5-0-0.

Article 27 – Vote to appropriate from the Community Preservation Fund, estimated annual revenues for community housing purposes under the CPA, the sum of \$54,000, and to transfer and appropriate from funds previously reserved for community housing, the sum of \$53,000, to be expended under the direction of the Affordable Housing Committee for the purpose of creating community housing – Ms. Allen moved to recommend this article. Mr. Costley 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 \$80,000, to fund a grant to Berkshire Housing Development Corporation for the purpose of creating community housing at 188 Church Street, a/k/a/ Proprietor's Field, and to authorize the Board of Selectmen to enter into a grant agreement with Williamstown Elderly Housing Corporation and Berkshire Housing Development Corporation outlining the purposes for and the conditions upon which funds may be expended, and to authorize the Board of Selectmen or its designee to accept one or more deed restrictions on said property – Ms. Allen

moved to recommend this article. Mr. Costley seconded and the motion carried 5-0-0.

Article 29 – Vote to authorize the Board of Selectmen to initiate the process to aggregate the electrical load of interested electrical consumers within the town’s boundaries – Mr. Rempell moved to recommend this article. Mr. Turbin seconded and the motion carried 5-0-0.

Article 30 – Vote to amend Section 70-7.1D, 70-3.3 and 70-4.2D(2) of the Chapter 70 Code of Williamstown – Williamstown By Laws – Mr. Rempell moved to recommend the adoption of this article. Mr. Turbin seconded and the motion carried 4-1-0. Ms. Allen opposed.

Article 31 – Vote to amend Section 70.3.3A(2) and 70-7.2, of the Chapter 70 Code of Williamstown – Williamstown By Laws proposed by The Cricket Creek Nominee Trust’s Trustee Sherwood Guernsey – Mr. Turbin moved to recommend the adoption of this article. Ms. Allen seconded and the motion failed 0-5-0.

Article 32 – Vote to amend Section 70-3.3A(2) and 70-7.2, of the Chapter 70 Code of Williamstown – Williamstown By Laws proposed by The Cricket Creek Nominee Trust’s Trustee Sherwood Guernsey – Mr. Rempell moved to recommend the adoption of this article. Ms. Allen seconded and the motion failed 0-5-0.

Article 33 – Vote to amend Section 70-3.3A(4), of the Chapter 70 Code of Williamstown – Williamstown By Laws as proposed by The Cricket Creek Nominee Trust’s Trustee Sherwood Guernsey – Ms. Allen moved to recommend the adoption of this article. Mr. Turbin seconded and the motion carried 5-0-0.

Selectmen signed the warrant. A copy of the draft May 2012 warrant is available in the Town Manager’s office.

11. TOWN MANAGER’S REPORT: see attached or at www.williamstown.net

12. PETITIONER’S REQUEST: None

13. OTHER BUSINESS: None

14. ADJOURN: Mr. Costley moved to adjourn at 9:26 p.m. Ms. Allen seconded and the motion carried unanimously. The next Selectmen’s meeting is Monday, April 23, 2012 at 7 p.m.

Respectfully submitted,

Tom Costley, Secretary