

MINUTES
WILLIAMSTOWN BOARD OF SELECTMEN
February 23, 2009
7:00 P.M.

Present: Jane B. Allen, Chair, Tom Costley, Richard C. Steege, David A. Rempell, Ronald Turbin

Others Present: Tom Mahar, Tom Sheldon, Jeanne Driscoll, Marilyn Faulkner, Pat McLeod, Mary Kennedy, Brian O'Grady, Kyle Johnson, Mike Card, Peter Fohlin, Kathy Poirot

1. **CHAIRMAN'S OPENING STATEMENT:** Ms. Allen announced applications are available for the Fund for Williamstown, an endowment grant of Berkshire Taconic Foundation, up to \$25,000 annually. She said applications are available at the Town Hall, Library and at the Berkshire Taconic website – www.berkshiretaconic.org.

Ms. Allen announced nominations are being accepted through February 27 for the 6th Annual Unsung Heroine Awards to honor 100 extraordinary women in Massachusetts.

Ms Allen announced the Berkshire Regional Transit Authority is holding a series of meetings for public response for changes and needs in service. The first meeting will be held at the Heritage Park Shipper's Office on March 4th at 6:30 p.m.

Ms. Allen thanked Chief Johnson, Elizabeth Haight and Kathy Poirot for putting together a binder of information of the 28 establishments holding year-round and seasonal liquor licenses. The binder contains dates of passed and failed compliance checks and other noncompliance issues. There will be an at-a-glance spread sheet of the compliance checks and TIPs training information in the front of the binder. She said we aren't there yet but our goal is 100% compliance.

2. **SELECTMEN'S MINUTES:** February 9, 2009 – Mr. Rempell moved to approve the February 9, 2009 minutes with a revision. Mr. Costley seconded and the motion carried unanimously.
3. **PETITIONER'S REQUEST:** None
4. **ITEMS FOR SELECTMEN'S CONSIDERATION**

- A. Election of Library Trustee – Due to the resignation of Karen Lartin from the Library Trustees, there is a vacancy that needs to be filled until the May 2009 election. Library Trustee Chairman Tom Sheldon moved to nominate Tom Mahar to fill the vacancy through the May 2009 election. Mr. Rempell seconded the nomination and the motion carried by roll call vote, aye, Thomas Sheldon, aye, Jeanne Driscoll, aye, Marilyn Faulkner, aye, Tom Costley, aye, Richard Steege, aye, Ron Turbin, aye, Jane Allen, and aye, David Rempell. Mr. Mahar was sworn in by Ms. Poirot.

- B. Designer Selection Procedures – Massachusetts General Law Chapter 7, Section 38A 1/2 – 0, the Designer Selection Law, requires municipalities and other local public agencies to adopt written designer selection procedures, which must be used when contracting for design services for any building construction, reconstruction, alteration, remodeling, or repair project that has an estimated construction cost of

more than \$100,000 and design services are required. These procedures must comply with the “purposes and intent” of the Designer Selection Law and must include certain required provisions. Although selectmen adopted procedures in 1996, some of the requirements have been updated. Mr. Fohlin presented a draft amended procedure for selectmen’s approval. The procedures will pertain to the upcoming library renovations. Library Trustee chairman Sheldon offered a revision to the wording in number 2, first paragraph, clarifying the Town Manager’s authority to “appoint additional members to a Designer Selection Committee if so desired”. Mr. Turbin moved to adopt the Designer Selection Procedures with the amendment. Mr. Costley seconded and the motion carried unanimously.

- C. FY10 Proposed Budget – Mr. Fohlin presented the FY10 proposed budget. He said local aid this year, FY09, was cut \$115,000 and another \$188,000 will be cut in FY10. New growth is off an estimated \$50,000 this year and motor vehicle excise tax returns are still unknown because the state has not yet sent numbers for commercial vehicles. The proposed general government budget is up an estimated 1.6% from last year. Mr. Fohlin said you have often heard said “desperate times call for desperate measures, but we don’t agree with that”, stating “we believe desperate times call for more thoughtful measures”. He said the town has been moving toward having fewer positions over the past nine years; as people have left, positions were consolidated or eliminated, for example the Assistant Town Manager position was not filled after the last Assistant Town Manager left. Mr. Fohlin emphasized that we have over this period of time dedicated ourselves to having the best employees we can but as few as possible in order to deliver services at the level Williamstown taxpayers expect. He said wages will not increase going into 2010. The town has economized in every way including locking in 11,400 gallons of fuel oil for next winter at \$1.75 a gallon; locking in electric rates and reducing insurance premiums. There is no indication that a Proposition 2 ½ override will be required. He explained the increase of \$114,000 in free cash is due to unspent circuit breaker funds from the elementary school. Those funds were required to be turned over as free cash to the town, but it is expected that the elementary school will include a warrant article at the Town Meeting to re-appropriate that money back to the school. The proposed budget has estimates of a 1.6% increase for both the elementary school and Mt. Greylock Regional School District. The capital budget is still being formulated. Among capital budget items being considered is a replacement of the old water main from the bridge on Rt. 2 to Adams Road and replacing Well #1.

Mr. Rempell said the budget presentation with the 5-year estimated financial plan was extremely thorough and well thought out. Mr. Fohlin said the draft budget will now go to the Finance Committee for review.

- D. Non-resident Request for Cemetery Lot – Mr. Rempell moved to approve a non-resident request from Deborah L. Dubois Warren of Clarksburg, MA for two graves in Eastlawn Cemetery. Mr. Steege seconded and the motion carried unanimously.
- E. Department of Telecommunication & Cable Request for Comment – The Massachusetts Department of Telecommunications and Cable is proposing to open a regional investigation of Verizon Massachusetts’ basic service quality in Berkshire, Hampden, Hampshire and Franklin counties. Pursuant to a Petition of the Board of Selectmen of the Town of Hancock and the Town of Rowe regarding

the quality of Verizon Telephone Service, Williamstown has been asked to offer comments regarding a proposed regional investigation of what appears to be of significant concern about Verizon's service quality among telephone customers in many towns in Western Massachusetts. According to Hancock Selectmen Chairman Sherman Derby, Sr., the biggest concern was the reliability of the E911 system, stating that the telephone system in that area relies on copper wiring and when it rains or the wiring gets wet the E911 systems to some homes does not work properly. Williamstown residents in South Williamstown areas as well as other residents have e-mailed their complaints to the Town Manager and Chairman Allen as a result of their attendance at a previous Hancock public hearing on this issue. Mr. Fohlin said Williamstown became aware of the request for comments on February 11, 2009 and although this became an agenda item this evening, a deadline for the comments was at 5 pm today. Mr. Fohlin said he submitted an official comment electronically to the Department of Telecommunications and Cable before the 5 pm deadline today, and Ms. Allen also forwarded resident comments before 5 pm. No other action was taken.

5. LICENSES AND PERMITS:

A. Common Victualer License –

TJ Warren Inc., 824 Simonds Road, Thomas Warren, Treasurer – Mr. Costley moved to approve a Common Victualer license for TJ Warren, Inc. Mr. Rempell seconded and the motion carried unanimously.

6. TOWN MANAGER'S REPORT: See attached.

7. OTHER BUSINESS:

Mr. Steege reported the COOL Committee is preparing a three-panel display board designed by Liz Kodela to provide information for the public regarding the work of the committee and a recycling and renewable energy saving promotion in and around Williamstown. The Committee is in discussions regarding events and means to bring more people into the COOL Challenge process. The committee is also in the process of updating slides to be shown at Images Cinema.

Hank Art reported that there have been discussions with Williams College regarding recycling. The College is considering its methods of paper recycling and sharing some materials and infrastructure with the Town. All of us are aware of the new regulations regarding recycling at our transfer station and the re-education of the public as to what may or may not be deposited in the plastic and metal bins. Mr. Steege asked residents to note the signs at the transfer station instructing us as to what to do and note that only plastic containers with "necks" may be recycled. Other containers such as boxes and wrapping must be discarded in the trash bags. The market for plastic and paper has been set back considerably and the COOL Committee hopes this is only a temporary measure.

Mr. Costley noted that newly appointed Library Trustee Tom Mahar is an example of how we can make time to volunteer on a Town Committee, citing that Tom also serves on the Northern Berkshire Vocational School District, has three children and works full time. He said serving the community can be done no matter how busy we are.

8. ADJOURN: Mr. Costley moved to adjourn. Mr. Rempell seconded and the motion carried unanimously. The next Selectmen Meeting is Monday, March 9, 2009 at 7 p.m.

Respectfully submitted,

Ronald Turbin, Secretary

RT/kp