

MINUTES
WILLIAMSTOWN BOARD OF SELECTMEN
September 14, 2009
7:00 P.M.

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

Others Present: David and Bernadette Archibald, Michael Card, Tim Kaiser Peter Fohlin,
Kathy Poirot

- 1. CHAIRMAN'S OPENING STATEMENT:** None
- 2. SELECTMEN'S MINUTES:** August 10, 2009 – Mr. Rempell moved to approve the August 10, 2009 minutes. Ms. Allen seconded and the motion carried with one abstention by Mr. Costley.
- 3. ITEMS FOR SELECTMEN'S CONSIDERATION:**
 - A. Mount Greylock Regional School District Borrowing – Mr. Rempell moved selectmen, acting in accordance with G.L.c.71 s. 16, vote to not hold a town meeting for the purpose of expressing disapproval of the school district's authorization to borrow up to \$2,000,000 for the purpose of repair and/or replacement of boilers and repair to the locker room ceilings in the Regional School Building and send a letter to the Chairman of the Mount Greylock School Committee stating so. Mr. Sheldon seconded and the motion carried unanimously.
 - B. North Hoosac Road Curb Cut (Archibald) – Mr. and Mrs. David Archibald submitted a letter to the selectmen dated August 10, 2009, and asked to be placed on the their next meeting agenda to express their disappointment regarding the removal of one of two curb cuts on their property. In the letter Mr. and Mrs. Archibald said they were not notified in advance that public works employees would be removing the curb cut and said after a call to the town manager, they were not satisfied with Mr. Fohlin's response that town residents were allowed only one curb cut on their property. The Archibalds wrote in their letter that Mr. Fohlin said that the previous driveway on the property was authorized for a farm-stand and the authorization was not transferrable and that the additional driveway entrances would cause varying elevations in the sidewalk that were undesirable. The Archibald also wrote that they asked Mr. Fohlin to reconsider now that they had made him aware that they were using it as a driveway entrance and Mr. Fohlin said no. After almost an hour-long discussion, Mr. Rempell moved the Board instruct the public works department to restore the curb cut under the provisions following the permitting process according to Williamstown zoning regulations. Mr. Sheldon seconded and the motion carried 4-1 with Ms. Allen voting against. Ms. Allen stated that even though the Selectmen are the Road Commissioners, she prefers that those duties be performed by those town employees who sign off on the permit and she feels that the Board is overturning the permitting process. Mr. Costley concurred with Ms. Allen and added he regrets the process the Archibalds had to go through.

- C. Agricultural Commission Resignation (Jeschawitz) – Mr. Rempell moved to accept the resignation of Amy Jeschawitz from the Agricultural Commission with thanks. Ms. Allen seconded and the motion carried unanimously.
- D. Democratic Registrar Vacancy Notice – Mr. Ralph Herne, the Democratic representative to the Board of Registrars, has moved out of state. His term expires April 1, 2011. In accordance with MGL, Chapter 51, section 15, the expired term should be filled for the remainder of Mr. Herne’s term. Ms. Allen moved to authorize a letter to be sent to Lee Harrison, Chairman of the Democratic Town Committee requesting a list of three names to be considered for the Board of Registrars and upon receipt of the list of names shall make an appointment from that list at a future meeting. Mr. Sheldon seconded and the motion carried unanimously.
- E. Non-resident Request for Cemetery Lot (Wilde) – Mr. Rempell moved to approve the request from Linda Wilde to purchase two graves in Eastlawn Cemetery. Mr. Sheldon seconded and the motion carried unanimously. Mr. Rempell asked for a report on the capacity left in the cemeteries and Ms. Allen said that the Finance Committee has asked Selectmen to review cemetery rates. Ms. Allen requested that the capacity report and rate review be placed on a future agenda.
- F. Water and Sewer Warrant - \$192,624.57 – Mr. Rempell moved to approve the water and sewer warrant in the amount of \$192,624.57. Ms. Allen seconded and the motion carried unanimously.

4. PETITIONER’S REQUEST: None

5. TOWN MANAGER’S REPORT: See attached.

6. OTHER BUSINESS: Mr. Costley thanked Mr. Fohlin, Mr. Kaiser and the public works department for the terrific progress on Field Park.

7. ADJOURN: Ms. Allen moved to vote to go into Executive Session at 8:22 p.m. to discuss strategy with respect to litigation (Bee Hill Road), and not to reconvene in open session. Mr. Turbin recused himself and Mr. Rempell seconded and the motion carried by roll call vote, aye, Tom Costley, aye, Jane Allen, aye, David Rempell, and aye, Thomas Sheldon. The next Selectmen Meeting is Monday, September 28, 2009 at 7 p.m.

Respectfully submitted,

Thomas Sheldon, Secretary