

MINUTES
WILLIAMSTOWN BOARD OF SELECTMEN
March 24, 2008
7:00 P.M.

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

Others Present: Wendy Penner, Nancy Nysten, Chris Kilfoyle, Richard Schlesinger, Nick Wright, Peter Fohlin, Kathy Poirot

1. CHAIRMAN'S OPENING STATEMENT: Mr. Rempell designated Brian O'Grady, Council on Aging Director to represent Williamstown on the Berkshire Regional Transit Authority Advisory Committee.

2. PETITIONER'S REQUEST: None

3. LICENSES & PERMITS:

A. Set Public Hearing date for a request from Maswood, Inc., d/b/a The Store at Five Corners, for a transfer of stock and a change of Officers/Directors. Ms. Allen moved to set a public hearing for a request from Maswood, Inc. d/b/a The Store at Five Corners for a transfer of stock and a change of officers/directors for Monday, April 14, 2008 at 7:05 p.m. Mr. Turbin seconded and the motion carried unanimously.

4. ITEMS FOR SELECTMEN'S CONSIDERATION:

A. Wire Permit Fees (Chris Kilfoyle) – Mr. Kilfoyle, of Berkshire Photovoltaic Services, asked the Board to create a new permitting system that could make the installation of solar panels more affordable to home and business owners. He stated that currently the fees are based on the cost of the project. He would like to see the fee formula change to the value of the project's wattage. He suggested a minimum building permit fee of \$10 for solar panel systems weaker than 20 kilowatts with a maximum fee of \$100. The same formula would apply in calculating an electrical permit fee. The combined fees would not exceed \$200. When calculating each permit fee, the town would charge \$10 for every kilowatt above 5 kilowatts. When installing solar panels stronger than 10 kilowatts, the minimum building fee and electrical fee would be \$100 and for every kilowatt above 10, the town would charge \$10. Mr. Kilfoyle concluded by saying that the town, by instituting a special and reduced fee structure for photovoltaic projects can send the message that properly sited and permitted clean energy facilities are welcome and town policy understands the disparities in energy delivery costs photovoltaic has to overcome to achieve viability.

Ms. Allen spoke with Mike Card, Director of Inspection Services today and he said he is willing to talk about the proposal. Selectmen were in agreement that they need more information. Ms. Allen offered to speak with both Mr. Card and Mr. Kilfoyle and will report back to the Board. Mr. Kilfoyle said if the Board could set a special fee category, it would be setting a precedent for the rest of the state.

B. Seasonal License Renewal – Taconic Golf Club – Ms. Allen moved to approve a Seasonal All Alcoholic Beverage License, Common Victualer and Background Music

license. Mr. Costley seconded and the motion carried unanimously.

C. Williamstown Cool Committee Resolution – Wendy Penner read aloud a proposed FY09 Town Warrant article - Williamstown Cool Committee Resolution. The nine point resolution encourages voters to support activities that would lead to the reduction of potentially harmful carbon emissions in town. Mr. Turbin moved to approve that the Williamstown Cool Committee Resolution be placed on the FY09 Town Warrant. Mr. Costley seconded and the motion carried unanimously.

D. Extension of Photech Purchase Agreement – In reference to a previous closing date of March 23, 2008 for the Purchase and Sale Agreement dated August 27, 2007 between the Eby Realty Group and the Town of Williamstown, the Eby Group has requested a three month extension for closing to June 23, 2008. The Eby Group wrote in a letter dated March 15, 2008 that the closing is an issue of timing and not a lack of interest. For each of the extended three months, Eby Group will release a \$1,500 additional deposit that will be applied to the purchase price at the closing. The Eby Group asked that Selectmen sign an amendment to the Purchase and Sale Agreement. Mr. Costley moved to approve and sign the amendment. Ms. Allen seconded and the motion carried unanimously.

E. Draft FY09 Annual Town Meeting Warrant – Chairman Rempell read through the draft warrant dated 3/20/08 (2:17pm). Mr. Fohlin stated that the Finance Committee should receive budget numbers at their March 27 meeting in regard to Article 8 and the water rate will be set at the April 14 Selectmen meeting in regard to Article a7.

Discussion ensued regarding Article 22 Community Preservation – Sheep Hill Barn for an appropriation of \$60,000 for the restoration and preservation of the historic barn at the Williamstown Rural Lands Foundation’s Sheep Hill Farm. Although the Community Preservation Act Committee approved the project, Mr. Costley had concerns about funding financially well-off private restoration projects. Mr. Turbin noted that the restoration would benefit the town, as Sheep Hill provides public access to its land while remaining privately owned. Mr. Fohlin pointed out that Williamstown invested money in this fashion in Caretaker Farm. Mr. Costley said although he is a supporter of the Rural Lands Foundation, he believed funds would be better spent on projects that would more directly contribute to Williamstown’s economic development. He added that he would be more likely to support CPA funding requests such as the one outlined in Article 24 which asks for \$800,000 to renovate the former Saint Raphael’s Church on Cole Avenue into eight affordable living units. Mr. Turbin said that he believed the Rural Lands Foundation is not as financially well-off as Mr. Costley believes and that the foundation might also be contributing more to the town’s economic prosperity than one might realize because of the amount of people it attracts with special programming. Mr. Rempell said that one of the CPA fund’s distinct goals is to preserve historical artifacts, such as the barn. In order to help the selectmen decide on whether to support the article, the Board will ask Rural Lands Executive Director Leslie Reed-Evans to defend the request at the next selectmen’s meeting April 14.

Another discussion ensued regarding Article 25 Wetlands Bylaw – Mr. Costley expressed concern about the adoption of the bylaw stating that it was broadly written and in the hands of a possible agenda-driven Conservation Commission in the future, it could hurt the town. Mr. Costley praised the current Commission for its hard work. He said that 74 percent of the town is already preserved and as more land is earmarked

for preservation, young families will be priced out of the market. He added that he didn't want the schools to be empty and would like to see teachers and police live in town. He said "When will enough be enough?" Mr. Turbin expressed thanks to the Conservation Commission for its work and said in the small chance that you had an agenda-driven Commission; the town could bring a warrant article to the town meeting as recourse.

5. TOWN MANAGER'S REPORT: See attached

6. OTHER BUSINESS: Mr. Turbin said he will attend the Berkshire County Selectmen Dinner Meeting on April 17. Mr. Rempell said he would attend also. Mr. Turbin will give a final head count for Kathy Poirot to make reservations. Ms. Allen said she will attend the Legislative Breakfast in Great Barrington on April 4.

7. Ms. Allen moved to vote to go into executive session for the purpose of discussing strategy with respect to negotiation with non-union personnel and not to reconvene in open session. Mr. Steege seconded and the motion carried by polled vote, Aye, Richard Steege, Aye, Ronald Turbin, Aye, David Rempell, Aye, Jane Allen, and Aye, Tom Costley. The next meeting is on April 14, 2008 at 7 p.m.

Respectfully submitted,

Tom Costley, Secretary

TC/kp