

**WARRANT
ANNUAL TOWN MEETING
FISCAL YEAR
JULY 1, 2007 to JUNE 30, 2008
COMMONWEALTH OF MASSACHUSETTS**

Berkshire, ss:

To either of the Constables of the Town of Williamstown, in the County of Berkshire.

GREETING:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of the Town of Williamstown qualified to vote in elections and Town affairs to meet at Williamstown Elementary School, 115 Church Street in said Williamstown

TUESDAY, THE EIGHTH DAY OF MAY, 2007 at SEVEN O'CLOCK A.M. for the following purpose:

To bring their votes to the election of officers for the election of all Town Officers

The polls will be opened at 7:00 o'clock A.M. and will close at 8:00 o'clock P.M.

And furthermore to meet at Williamstown Elementary School, 115 Church Street, on TUESDAY, THE FIFTEENTH DAY OF MAY, 2007 AT SEVEN O'CLOCK P.M. for the following purposes:

To act on all Articles of this warrant, except Article 1, which has been acted upon at the above meeting for the election of officers.

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Proceeding: Moderator Stanley Parese opened the 2007 Annual Town Meeting at 7:05 PM in the gymnasium of the Williamstown Elementary School, 115 Church Street. Two hundred and thirty (230) registered voters checked into the meeting.

Selectmen Chairman Philip Guy read the names of Committee and Board members who terms expire in June, and thanked them for their service to the Town.

The Moderator announced the Community Chest Volunteer Award was given to John Hyde.

The League of Women Voters Town Employee award was presented to Children's Librarian Mindy Hackner.

The Moderator then presented the 26th Annual Faith Scarborough Award to Bruce Grinnell in recognition of his dedication and service to the community as a founder of the ABC (A Better Chance program in Williamstown), the Williamstown Rural Lands Foundation and for his time serving on numerous boards and organizations in Northern Berkshire.

The Moderator reviewed the procedures and expectations for Town Meeting with the audience and then proceeded with the meeting.

ARTICLES

Article 1. To choose a Moderator for a three year term; two Selectmen for three year terms; two Elementary School Committee (K-6) Members for three year terms; two Library Trustees for three year terms; one Housing Authority member for a five year term; one Northern Berkshire Vocational Regional School District Committee Member for a three year term.

Proceeding: Article 1 was acted upon at the Annual Town Election on May 8, 2007.

REPORTS OF TOWN COMMITTEES

Article 2. To see if the Town will vote to accept the reports of the Board of Selectmen, the Town Manager, and all other officers and committees and act thereon.

Proceeding: The Chairman of the Board of Selectmen moved, and it was seconded, the Town vote to adopt Article 2.

There being no discussion, the Moderator declared Article 2 carried by unanimous voice vote.

TO APPROPRIATE FREE CASH TO LOWER THE TAX RATE

Article 3. To see if the Town will vote to transfer the sum of **\$310,634** from the General Fund Unreserved Fund Balance to reduce the tax rate, or take any other action in relation thereto.

The combination of excess receipts and unused appropriations as of the end of the fiscal year on June 30 is the Unreserved Fund Balance (commonly referred to as "Free Cash").

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to appropriate the sum of \$310,634 from the General Fund Unreserved Fund Balance to be used to reduce the tax rate.

There being no discussion, the Moderator declared Article 3 carried by unanimous voice vote.

APPROPRIATION FOR DEBT SERVICE

Article 4. To see if the Town will vote to raise and appropriate or appropriate from available funds in the treasury, the sum of **\$548,053** or any other sum, to pay interest and maturing debt, or take any other action in relation thereto:

<u>Purpose</u>	<u>Year Borrowed</u>	<u>Years Remaining</u>	<u>Initial Principal</u>	<u>2008 Interest and Principal</u>
DPW Garage	1997	10	\$1,800,000	\$141,062
Landfill Engineering	1997	4	\$50,000	\$4,561
Landfill Closure	1997	9	\$215,000	\$16,752
Burbank Chapel Repair	2001	12	\$132,800	\$11,633
Landfill Closure	2005	13	\$150,000	\$15,050
Elementary School	2005	18	\$4,200,000	\$358,995
				<u>\$548,053</u>

Each of the above items is a bond issue which the Town has committed to repay over the number of years remaining as indicated.

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to raise and appropriate the sum of \$536,420 from taxation and that \$11,633 be

appropriated from the Sherman Burbank Memorial Fund to pay interest and maturing debt.

There being no discussion, the Moderator declared Article 4 carried by unanimous voice vote.

GENERAL GOVERNMENT

Article 5. To see if the Town will vote to raise and appropriate or appropriate from available funds in the treasury, the sum of **\$5,826,898** or any other sum, to pay interest and maturing debt, and for charges, expenses and outlays of the several Town Departments, namely:

	Fiscal Year	Fiscal Year
	<u>2007</u>	<u>2008</u>
Executive	\$227,596	\$236,528
Administration & Finance	\$1,502,854	\$1,562,097
Inspection Services	\$322,441	\$329,618
Public Safety	\$1,105,475	\$1,148,085
Public Works	\$1,819,380	\$1,861,671
Human Services	\$662,024	\$688,899
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	\$5,639,770	\$5,826,898

The General Government budget is a 3.5% increase over this year.

Article 5 - General Government Detail

	Fiscal Year <u>2007</u>	Fiscal Year <u>2008</u>
EXECUTIVE		
Selectmen	\$4,362	\$5,439
Town Manager	\$203,818	\$207,856
Town Counsel	\$17,713	\$21,480
Emergency Management	\$1,703	\$1,753
	\$227,596	\$236,528
ADMINISTRATION & FINANCE		
Insurance	\$134,195	\$145,955
Finance Committee	\$682	\$708
Finance Director	\$205,954	\$219,606
Assessors	\$97,503	\$102,035
Treasurer-Collector	\$149,719	\$161,760
Data Processing	\$22,899	\$23,700
Town Clerk	\$57,351	\$72,230
Registrars of Voters	\$17,090	\$15,552
Employee Benefits	\$817,461	\$820,551
	\$1,502,854	\$1,562,097
INSPECTION SERVICES		
Building Inspector	\$246,448	\$248,047
Health Inspector	\$70,554	\$73,313
Conservation Commission	\$1,560	\$2,298
Planning Board	\$1,150	\$1,350
Zoning Board of Appeals	\$0	\$1,500
Historical Commission	\$0	\$300
Sealer of Weights	\$2,729	\$2,810
	\$322,441	\$329,618
PUBLIC SAFETY		
Police Department	\$905,599	\$935,091
Dispatch Services	\$171,076	\$180,734
Animal Control Officer	\$24,670	\$25,970
Forest Warden	\$4,130	\$6,290
	\$1,105,475	\$1,148,085
PUBLIC WORKS		
DPW Director	\$136,228	\$140,076
Highway Department	\$1,064,689	\$1,109,257
Snow and Ice	\$130,000	\$139,726
Parks and Cemetery	\$244,168	\$241,003
Facilities Management	\$165,605	\$168,517
Burbank Chapel	\$7,506	\$6,547
Recreation	\$31,184	\$16,545
Forestry Department	\$40,000	\$40,000
	\$1,819,380	\$1,861,671
HUMAN SERVICES		
Council on Aging	\$183,801	\$184,551
Veterans' Services	\$37,554	\$37,823
Library	\$437,579	\$463,435
Veterans' Graves & Holidays	\$3,090	\$3,090
	\$662,024	\$688,899

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to raise and appropriate the sum of \$5,612,051 from Taxation; that \$117,081 be appropriated from Estimated Water Receipts; that \$82,219 be appropriated from Estimated Sewer Receipts; that \$9,000 be appropriated from Cemetery Perpetual Care

Fund Interest; that \$6,547 be appropriated from Sherman Burbank Memorial Fund to pay interest and maturing debt and for charges, expenses and outlays of the several Town Departments namely as follows: Executive - \$236,528; Administrative and Finance \$1,562,097; Inspection Services \$329,618; Public Safety - \$1,148,085; Public Works \$1,861,671 and Human Services \$688,899.

Following a brief discussion, the Moderator declared Article 5 carried by unanimous voice vote.

LOCAL PUBLIC SCHOOLS (Grades K-6)

Article 6. To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of **\$5,004,830** or any other sum, to pay interest and maturing debt, and to pay charges, expenses and outlays of the School Department for the ensuing year or take any other action in relation thereto.

NORTHERN BERKSHIRE VOCATIONAL REGIONAL SCHOOL DISTRICT

Article 7. To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of **\$339,069** or any other sum, being Williamstown’s share of the Northern Berkshire Vocational Regional School District 2007-2008 budget, or take any other action in relation thereto.

	Fiscal Year <u>2007</u>	Fiscal Year <u>2008</u>
Minimum Contribution	\$228,263	\$290,356
Transportation Assessment	\$3,469	\$5,735
Capital Assessment	\$36,070	\$42,978
	<u>\$267,802</u>	<u>\$339,069</u>

Note: This is an Omnibus Budget, i.e. Town Meeting may vote only the total budget.

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to raise and appropriate the sum of \$343,687 to pay Williamstown’s share of the Northern Berkshire Vocational Regional School District 2007-2008 budget.

There being no discussion the Moderator declared Article 7 carried by majority voice vote.

MOUNT GREYLOCK REGIONAL SCHOOL DISTRICT

Article 8. To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of **\$4,285,355** or any other sum, being Williamstown’s share of the Mount Greylock Regional School District 2007-2008 fiscal budget, or take any other action in relation thereto.

CAPITAL PROJECTS

Article 9. To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of **\$664,701** or any other sum, for the following Capital Projects:

<u>Item</u>	<u>Department</u>	<u>Amount</u>
Property Revaluation	Assessors	\$40,000
Sidewalk & Curb Replacement – North & Main Streets	Highway	\$77,325

Utility Vehicle Replacement	Highway	\$28,000
Stetson Court Reconstruction	Highway	\$169,376
Vactor Jet-Vac Truck	Public Works	\$200,000
Well 1 Rehabilitation Engineering	Water	\$150,000
		<u>\$664,701</u>

vote to raise and appropriate the sum of \$414,701 from Taxation; that \$86,796 be raised and appropriated from Estimated Water Receipts that \$67,557 be raised and appropriated from Estimated Sewer Receipt; that \$63,204 be appropriated from the Water Fund-Unreserved Fund Balance and that \$32,443 be appropriated from the Sewer Fund-Unreserved Fund Balance to pay for the Capital Projects as listed in the Warrant.

There being no discussion, the Moderator declared Article 9 carried by unanimous voice vote.

WILLIAMSTOWN YOUTH CENTER

Article 10. To see if the Town will vote to raise and appropriate the sum of **\$61,000** for the Williamstown Youth Center to provide youth recreation services, or take any other action in relation thereto.

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to raise and appropriate the sum of \$61,000 to support the Williamstown Youth Center to provide youth recreation services.

There being no discussion, the Moderator declared Article 10 carried by unanimous voice vote.

WILLIAMSTOWN CHAMBER OF COMMERCE

Article 11. To see if the Town will vote to raise and appropriate the sum of **\$18,877** for the Williamstown Chamber of Commerce to promote tourism, or take any other action in relation thereto.

FINANCE COMMITTEE RESERVE FUND

Article 12. To see if the Town will vote to raise and appropriate the sum of **\$65,000** for the Finance Committee Reserve Fund, or take any other action in relation thereto.

FUEL EFFICIENT MOTOR VEHICLE GRANTS

Article 13. To see if the Town will vote to raise and appropriate the sum of ten thousand dollars (\$10,000) for the Town to provide grants in the amount of seventy-five percent (75%) of the 2008 annual motor vehicle excise tax imposed on any passenger automobile, van or light truck manufactured in the five most recent model years with a USEPA fuel economy rating of 50 miles per gallon or greater for city driving and 50 miles per gallon or greater for highway driving, or fifty percent (50%) of the 2008 annual motor vehicle excise tax imposed on any passenger automobile, van or light truck manufactured in the five most recent model years with a USEPA fuel economy rating of 30 miles per gallon or greater for city driving and 35 miles per gallon or greater for highway driving, but not both.

At the time this booklet was printed there had been 40 grant requests approved for a total of \$5,671.59. This appropriation limits the maximum expenditure next year to \$10,000.

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to adopt Article 13.

Several residents made comments for and against the article.

Following an unclear voice vote, the Moderator declared the article defeated by a standing vote of 65 in favor and 135 opposed.

Beth Goodman asked if the allocated \$10,000 could be used elsewhere environmentally. Town Counsel, Joel Bard stated it could if it is in the scope of the original article.

Michael Tillou moved, and it was seconded, to reallocate the \$10,000 as one hundred \$100 grants to citizens that demonstrate a green house gas reduction initiative on their own. The COOL Committee would make recommendations and give them to the Board of Selectmen for allocation.

Selectmen John Madden asked that this article be further addressed later in the meeting. Michael Tillou moved, and it was seconded to postpone this discussion. The Moderator declared the postponement carried by unanimous voice vote.

Following Article 34 discussion resumed on this article. The Moderator restated the motion that was on the floor. Mr. Tillou then offered the following amendment to the motion, “To see if the Town will vote to raise and appropriate the sum of \$10,000 for the Town to provide grants to individuals with an approved project to support the Williamstown Climate Action Plan. The COOL Committee would submit to the Selectmen their criteria for the grant project for approval on or before July 1, 2007.

The Moderator, after conferring with Town Counsel Joel Bard, felt the new amendment was outside the scope of the original article as posted in the warrant. No further action was taken.

BOTSFORD FUND for MILNE LIBRARY

Article 14. To see if the Town will vote to raise and appropriate the sum of \$10,000 for deposit into the Botsford Fund of the David and Joyce Milne Library, or take any other action in relation thereto.

In 1999 the Town committed to repaying \$50,000 borrowed from the Library Botsford Fund to replace the library roof. This article is the final payment on that commitment.

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to raise and appropriate the sum of \$10,000 for deposit into the Botsford Fund of the David and Joyce Milne Library.

There being no discussion, the Moderator declared Article 14 carried by unanimous voice vote.

LIBRARY REVOLVING FUND

Article 15. To see if the Town will vote pursuant to M.G.L. c. 44, Section 53E ½, to authorize the use of a revolving fund for the purpose of purchasing library supplies, services and equipment, which fund shall be credited with receipts from all fees and fines collected under the authority and direction of the Library Trustees, such expenditures not to exceed Twenty-Five Thousand and no/100ths (\$25,000) Dollars, or take any other action in relation thereto.

The Library Revolving Fund allows the Board of Library Trustees to collect fines, copy machine fees, room rental fees, and other miscellaneous income and spend those funds on library expenses without further appropriation.

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to adopt Article 15.

There being no discussion, the Moderator declared Article 15 carried by unanimous voice vote.

SEWER DEPARTMENT

Article 16. To see if the Town will vote to appropriate from Estimated Sewer Receipts the sum of **\$1,272,672** or any other sum, to pay interest and maturing debt, and for charges, expenses and outlays of the Sewer Department, or take any other action in relation thereto.

The sewer rate next year will be \$5.39 per 100 cubic feet, an increase of 20.7%. The cost of operating the Town's sewerage collection system will contribute \$.07 (a 3.3% increase) to the increase, and the Hoosac Water Quality District will contribute \$.85 (a 36.5% increase) to the increase.

WATER DEPARTMENT

Article 17. To see if the Town will vote to appropriate from Estimated Water Receipts the sum of **\$861,861** or any other sum, to pay interest and maturing debt, and for charges, expenses and outlays of the Water Department, or take any other action in relation thereto.

The water rate next year will be \$3.12 per 100 cubic feet, an increase of 4.9%.

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to appropriate the sum of **\$861,861** from Estimated Water Receipts to pay interest and maturing debt, and for charges, expenses and outlays of the Water Department.

There being no discussion, the Moderator declared Article 17 carried by unanimous voice vote.

WATER RATE

Article 18. To see if the Town will, in accordance with Section 7, Chapter 606 of the Acts and Resolves of 1941, vote to approve a municipal water rate of **\$3.12** per 100 cubic feet of water as fixed by the Board of Selectmen, at their meeting of April 9, 2007, to be effective July 1, 2007, or take any other action in relation thereto.

TRANSFER STATION DEPARTMENT

Article 19. To see if the Town will vote to appropriate from Estimated Transfer Station Receipts the sum of **\$187,390**, or any other sum, to pay interest and maturing debt, and for charges, expenses and outlays of the Transfer Station Department, or take any other action in relation thereto.

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to appropriate the sum of **\$187,390** from Estimated Transfer Station Receipts to pay interest and maturing debt, and for charges, expenses and outlays of the Transfer Station Department.

There being no discussion, the Moderator declared Article 19 carried by unanimous voice vote.

CHAPTER 90 HIGHWAY FUNDING

Article 20. To see if the Town will vote to raise and 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, or take any other action in relation thereto.

APPROVAL OF PUBLIC LIBRARY PROJECT

Article 21. To see if the Town will vote to authorize the Board of Trustees of the David and Joyce Milne Public Library to apply for, accept and expend any state grants which may be available for a planning project for renovating its current library building, or take any other action in relation thereto.

The purpose of this article is to assure the state grant making authority that the Board of Library Trustees has the support of the town.

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to authorize the Board of Trustees of the David and Joyce Milne Public Library to apply for, accept and expend any state grants which may be available for a planning project for renovating its current library building.

There being no discussion, the Moderator declared Article 21 carried by unanimous voice vote.

CORRECTION TO CODE BOOK

Article 22. To see if the Town will vote to change the chapter number for the Right to Farm Bylaw from Chapter 155 to Chapter 46, or take any other action in relation thereto.

This article simply corrects an error in the chapter number assigned to the Right to Farm Bylaw.

Proceeding: The Chairman of the Board of Selectmen moved, and it was seconded, the Town vote to adopt Article 22.

There being no discussion, the Moderator declared Article 22 carried by unanimous voice vote.

MUTUAL AID AGREEMENT Article 23. To see if the Town of Williamstown will vote, pursuant to the provisions of Section 4A of Chapter 40 and Section 59A of Chapter 48 of the Massachusetts General Laws, and to accept the provisions of Section 8G of Chapter 40 of the Massachusetts General Laws, to authorize the Board of Selectmen to enter into mutual aid agreements with other governmental units for the provision of animal control, emergency management, emergency medical services, fire, inspectional services, police, public health, and public works, in accordance with an intermunicipal mutual aid agreement to be entered into between the Town and the governmental units, or take any other action in relation thereto.

This article authorizes the Board of Selectmen to enter into mutual aid agreements for emergency services with surrounding communities

Proceeding: The Chairman of the Board of Selectmen moved, and it was seconded, the Town vote to adopt Article 23.

Their being no discussion, the Moderator declared Article 23 carried by unanimous voice vote.

COMMUNITY PRESERVATION – EXPENSES FISCAL 2008

Article 24. To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2008 Community Preservation budget and to appropriate from the Community Preservation Fund Fiscal Year 2008 estimated annual revenues the sum of \$5,000 to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2008; and further to reserve for future appropriation a sum of money from the Community Preservation Fund estimated annual revenues for open space, historic preservation, and community housing purposes, as well as a sum of money to be placed in the 2008 Budgeted Reserve for general Community Preservation Act purposes; or to take any other action in relation thereto.

This article funds the operating expenses of the Community Preservation Act committee, and appropriates the minimum amount required for community housing, historic preservation, or open space if any. No additional taxes are levied by this article

Proceeding: Janette Dudley, Chairman of the Community Preservation Committee moved the Town vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2008 Community Preservation budget and to appropriate from the Community Preservation Fund Fiscal Year 2008 estimated annual revenues the sum of \$5,000 to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2008; and further to reserve for future appropriations the sum of \$35,000 for the preservation of open space, and \$51,000 for community housing purposes.

Following a brief discussion, the Moderator declared Article 24 carried by majority voice vote.

COMMUNITY PRESERVATION – LITTLE RED SCHOOLHOUSE

Article 25. To see if the Town will vote to appropriate or transfer from available funds from the Community Preservation Fund for historic resources purposes under the Community Preservation Act the sum of \$115,000, to be expended under the direction of the Department of Public Works Director, for the purpose of exterior renovations and interior modifications for the preservation of the Little Red Schoolhouse, or take any other action in relation thereto.

This appropriation together with sums appropriated in previous years will complete the exterior restoration and interior modifications to the town-owned Little Red School House. No additional taxes are levied by this article.

Proceeding: Dick DeMayo, of the Community Preservation Committee, moved and it was seconded, the Town vote to appropriate or transfer from available funds from the Community Preservation Fund for historic resources purposes under the Community Preservation Act the sum of \$115,000, to be expended under the direction of the Department of Public Works Director, for the purpose of exterior renovations and interior modifications for the preservation of the Little Red Schoolhouse.

There being no discussion, the Moderator declared Article 25 carried by unanimous voice vote.

COMMUNITY PRESERVATION – SOUTHLAWN CEMETERY

Article 26. To see if the Town will vote to appropriate or transfer from available funds from the Community Preservation Fund for historic resources purposes under the Community Preservation Act the sum of \$27,000, to be expended under the direction of the Parks and Cemetery Superintendent, for the purpose of preservation of historic gravestones at the Southlawn Cemetery, or take any other action in relation thereto.

This appropriation together with sums appropriated in previous years will complete the restoration and preservation of historic gravestones in the "old section" of Southlawn Cemetery. No additional taxes are levied by this article.

Proceeding: Philip McKnight of the Community Preservation Committee moved, and it was seconded, the Town vote to appropriate or transfer from available funds from the Community Preservation Fund for historic resources purposes under the Community Preservation Act the sum of \$27,000, to be expended under the direction of the Parks and Cemetery Superintendent, for the purpose of preservation of historic gravestones at the Southlawn Cemetery.

There being no discussion, the Moderator declared Article 26 carried by majority voice vote.

COMMUNITY PRESERVATION – CABLE MILLS

Article 27. To see if the Town will vote to borrow and appropriate or transfer from available funds under the Community Preservation Act for the purpose of creating and supporting community housing the amount of \$525,000 to fund a grant to 160 Water, LLC to be used for the construction of no less than twelve (12) units of deed restricted affordable housing; for the purpose of protecting open space the amount of \$500,000 to fund a grant to 160 Water LLC for the construction of a public access river walk along the Green River; and, for the purpose of preservation of historic resources the amount of \$500,000 for the preservation of the historic facades of the Cable Mills buildings, all at land known as Cable Mills located at 160 Water Street and shown as Assessors Parcel 121-91 and to authorize the Board of Selectmen to enter into a grant agreement with 160 Water, LLC outlining the purposes for and the conditions upon which these funds may be expended, and to authorize the Board of Selectmen or its designees to accept one or more deed restrictions on said property meeting the requirements of G. L. c. 184, Section 31, or take any other action in relation thereto.

This appropriation will acquire 1) affordability deed restrictions on at least twelve condominium units, 2) a conservation restriction on a ten-foot wide public riverwalk along the Green River, and 3) a preservation restriction on the facade of the historic Cable Mills buildings. No additional taxes are levied by this article.

Proceeding: Selectmen John Madden moved, and it was seconded, the Town vote to borrow and appropriate the funds as described in Article 27.

There being no discussion, the Moderator declared Article 27 carried by unanimous voice vote.

TO ACCEPT CHESTNUT STREET EXTENSION AS TOWN WAY

Article 28. To see if the Town will vote to establish as a Town way and accept the layout as a Town way the extension of Chestnut Street, and to accept the water, sanitary sewer and stormwater drainage systems located therein and within the existing Town way of Chestnut Street, all as laid out by the Board of Selectmen on April 9, 2007, and shown on a plan entitled "Plan of Acceptance for Chestnut Street," dated March 23, 2007 by Guntlow & Associates, Inc., a copy of which is filed with the Town Clerk, and to authorize said Board to take by eminent domain, purchase or acquire, upon terms and conditions as it shall determine, any fee, easement or other interest in said land necessary therefore, no appropriation being required, or take any other action in relation thereto.

Chestnut Street has been extended according to town specifications and improvements have been made to Chestnut Street itself and its infrastructure at the sole cost of the developer. Passage of this article will make Chestnut Street a public way its entire length.

Proceeding. The Chairman of the Board of Selectmen moved, and it was seconded, the Town vote to adopt Article 28.

There being no discussion, the Moderator declared article 28 carried by unanimous voice vote.

ZONING BY-LAWS AMENDMENT – STATION MILL

Article 29. To see if the Town will vote to amend the Williamstown Zoning By-Laws, Chapter 70 of the Code of the Town of Williamstown as follows:

1. Removal of the Station Mill Redevelopment District from §70-2.1.B.
2. Repeal of §70-2.3.E, Station Mill Redevelopment District boundary definition.
3. Repeal of §70-7.4.F, Station Mill Redevelopment District intent and use schedule, including Table 7.5
4. Repeal of §70-7.1.K
5. Delete from §70-3.1.A(2)(c) the phrase, “or Station Mill Redevelopment District”
6. Amendment of the “Zoning District Map of the Town of Williamstown” as defined by §70-2.3 by the change of Map 119, Lot 18 of the Williamstown Assessors Atlas from the Limited Business District to the General Residence 1 District.

The Planning Board recommends the adoption of this article by a vote of 3-0.

This article removes the Station Mill Overlay District from the Photech property and extends the neighboring General Residence 1 zoning to allow the construction of a senior assisted living facility.

Proceeding: John Holden, member of the Planning Board, moved and it was seconded the Town vote to adopt Article 29. Mr. Holden presented a report from the Planning Board.

There being no further discussion, the Moderator declared Article 29 carried by unanimous voice vote.

TO AUTHORIZE THE TAKING AND SALE OF THE FORMER PHOTECH MILL PROPERTY

Article 30. To see if the Town will vote to raise and appropriate a sum of money and to authorize the Board of Selectmen to take by eminent domain, assessors parcel 119-18, to transfer control of the property to the Board of Selectmen to be held for the purpose of conveyance, and to authorize the Board of Selectmen, acting in accord with Massachusetts General Law, to convey said property, a portion of the sale proceeds not greater than the actual cost of retiring the existing artesian well on the property to be deposited in the Water Fund, or take any other action in relation thereto.

This article will allow the Board of Selectmen to take title to the Photech property and complete its sale to the Eby Group for construction of a forty-six unit senior assisted living facility. This article also reimburses the Water Fund for the expense of capping an artesian well on the property to protect our water supply.

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to raise and appropriate the sum of one dollar (\$1.00) and to authorize the Board of Selectmen to take by eminent domain, assessors parcel 119-18, to transfer control of the property to the Board of Selectmen to be held for the purpose of conveyance, and to authorize the Board of Selectmen, acting in accord with Massachusetts General Law, to convey said property, a portion of the sale proceeds not greater than the actual cost of retiring the existing artesian well on the property to be deposited in the Water Fund.

The Moderator stated a two-thirds majority vote would be required for passage of this article. There being no discussion, the Moderator declared Article 30 carried by unanimous voice vote.

TO RETIRE THE ARTESIAN WELL ON THE PHOTECH PROPERTY

Article 31. To see if the Town will vote to appropriate from the Water Fund Unreserved Fund Balance the sum of One Hundred Fifty Thousand Dollars (\$150,000) to retire the existing artesian well on assessors parcel 119-18, or take any other action in relation thereto.

This article funds the retirement of the artesian well on the Photech property to protect our water supply before any sale is complete.

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to adopt Article 31.

There being no discussion, the Moderator declared Article 31 carried by unanimous voice vote.

CABLE MILLS REDEVELOPMENT DISTRICT

Article 32 . To see if the Town will amend Chapter 70 of the Code of The Town of Williamstown (Zoning Bylaw) as follows:

- 1. Amend § 70- 2.1 B.** - add the “Cable Mills Redevelopment District (CMRD)” overlay district
- 2. Add a new section 70-2.3. E:** “The Cable Mills Redevelopment District” is composed of land shown on Lot 91, Map 121, Williamstown Assessors Atlas, as updated to 2007, and on file in the office of the Town Clerk.
- 3. Add a new § 70-7.1.K.** Cable Mills Redevelopment District - Residential Development

K. Cable Mills Redevelopment District-Multifamily Housing Development. Multifamily development, by new construction or the conversion of an existing historic building, may be authorized by special permit provided the following are complied with.

- 1) Basic Requirements
 - a) Number of dwellings: In existing buildings there shall be a maximum of 1 dwelling unit per 3500 square feet of lot area. In new construction there shall be a maximum of 1 dwelling unit per 5000 square feet of lot area.
 - b) Open Space: In existing buildings there shall be 1000 square feet of common open space per dwelling unit. In new construction there shall be 1500 square feet of common open space per dwelling unit. Common open space shall include access to the Green River. Other open space areas shall be left in a substantially natural state and intended for passive or active recreation. Common open space shall not include street rights of way, open parking areas, or driveways.
 - c) Utilities: All buildings shall be connected to Town water and sewer. All utilities shall be underground, in accordance with the development standards of Chapter 170. There shall be satisfactory design and location of collection points for rubbish and recyclables.
 - d) Nonresidential uses: Non residential uses are permitted in multifamily buildings on the first floor, and are subject to the requirements of Table 7.6 There are no open space or lot area requirements for nonresidential uses.
 - e) Building Design. Existing buildings shall retain their original 19th Century architecture. New construction shall be consistent with existing buildings in the Water Street Neighborhood. No unenclosed exterior stairways above the first floor shall be permitted.
 - f) Minimum floor area. Minimum gross floor area for dwelling units shall not be less than 700 square feet.
 - g) Parking. Off street parking shall comply with §70-6.1for number of parking spaces and parking lot development.
 - h) Smokestack. The existing smokestack shall be retained as a historic architectural feature.
 - i) Affordable unit set aside.

- [1] Not less than 10% of the dwelling units shall be affordable, defined as 80% of the then current median household income of non-metropolitan Berkshire County, as estimated by the HUD Regional Economist.
- [2] The distribution of affordable units shall be proportional across the total number of units according to number of bedrooms, size, quality, and location.
- [3] Continuing affordability shall be assured for at least 30 years through means enforceable by the Town.

4. Add a new § 70-7.4.G: Cable Mills Redevelopment District

- 1) Intent. The intent of the Cable Mills Redevelopment District (CMRD) is to encourage the redevelopment of the historic Cable Mills site in a manner that:
 - a) preserves and complements adjacent historic properties;
 - b) preserves the historic character and viability of the Cable Mills District and maintains its place in Williamstown’s history; and
 - c) promotes diverse housing opportunities and uses including residential, commercial, retail, office, or a combination thereof.
- 2) Superimposition. The Cable Mills Redevelopment District shall be considered to be superimposed over the underlying Village Business District. Within CMRD, the requirements of the underlying district continue to apply, except that uses are prohibited where indicated by No, or require a special permit where indicated by SP in Table 7.6, even when the underlying district requirements are more permissive.

Table 7.6 Cable Mills Redevelopment District Use Schedule		
USES		
(A)	RESIDENTIAL USES	
1	New two family dwellings	SP
2	New multifamily dwellings <i>(see 70-7.1 L)</i>	SP
3	Multifamily dwellings by conversion of an existing historic building <i>(see 70-7.1 L)</i>	SP
(B)	BUSINESS USES	
1	Theater, bowling alley, skating rink, club or other place for amusement, exercise, or assembly	SP
2	Tourist home	No
3	Hotel	SP
4	Bus or taxi terminals	No
5	Cemetery, hospital, sanitarium, nursing home or other medical institution, including nonprofit research laboratory or charitable institution.	No
6	Salesroom for automobiles, bicycles, boats, farm implements and similar equipment	No
7	Gasoline service station, garage or repair shop <i>(See §70-7.2.B)</i>	No
8	Funeral Home	No
9	Mortuary or crematory	No
10	Restaurants closer than 50 feet to the south property line	No
(C)	INDUSTRIAL USES	
1	Printing or publishing establishment	No
(D)	ACCESSORY USES	
1	Parking of larger vehicles	SP

- 3) Special permits.
 - a) Authority. The special permit granting authority (SPGA) shall be the Zoning Board of Appeals.
 - b) Procedure. All applications for special permits for the construction or conversion of buildings for uses in Table 7.6 shall include a Development Plan, prepared in accordance with § 70-8.2. The Historical Commission shall receive copies of the plan and proposal. The Historical Commission may comment on whether the proposed use meets the criteria of § 70-8.4 and recommend conditions and safeguards to meet the criteria or mitigate negative impacts.
 - c) Criteria for special permits. In addition to the criteria set forth in §70-8.4 D, special permits required for uses in Table 7.6 shall issue only after consideration of the project’s compliance with the following criteria:

The development facilitates the intent of the CMRD set forth in §70-7.4.G (1) through:

- [1] connection of buildings to the adjoining properties through architectural style and scale;
- [2] a mix of residential and commercial uses;
- [3] access to the Green River for recreation;
- [4] diverse housing opportunities, including market rate dwelling units and dwelling units that are affordable to households at or below the then-current median income for non-metropolitan Berkshire County, as estimated by the HUD Regional Economist; and
- [5] limiting risk to the Wellhead Protection District.

d) Decision. Special permits shall be granted subject to specific findings by the SPGA that the development meets the criteria of §70-8.4 and the more specific criteria set forth above. In granting special permits, the SPGA reserves the right to impose conditions for the protection of the neighborhood and Town water supply and the implementation of the stated intent of the CMRD. Such conditions, safeguards, or limitations may include, but not be limited to those contained in §70-8.4.E.

5. Amend §70-3.1A (2) (c) to add “Cable Mills Redevelopment District”

6. Amend the definition of “Major Residential Development”, §70-9.2 by deleting subsection B, and adding a new subsection B: “On premises other than assisted living residence, or in the Cable Mills Redevelopment District, or land division noted above, issuance of building permits for the construction of more than eight dwelling units within any twelve month period, or of more than 40 dwelling units cumulatively subsequent to May 24, 1989.”

7. Amend §70-4.1.B by adding a new subsection 4.1.B (3) -

(3) In the Cable Mills Redevelopment District, the height of the main buildings (Buildings 2-6) shall not exceed 62 feet.

And renumbering existing sections 4.1.B.(3) and 4.1.B.(4) to 4.1.B.(4) and 4.1.B.(5), respectively.

This article re-zones the General Cable/Carol Cable/Cable Mills property to allow completion of approximately 82 condominiums in the existing buildings and townhouses along the Green River.

Proceeding: Robin Malloy, Chair of the Planning Board, moved, and it was seconded, the Town vote to adopt Article 32 with the following correction to the article by deleting from Section 6 the following words “...within any twelve month period, or of more than 40 dwelling units cumulatively subsequent to May 24, 1989.” She then gave the report of the Planning Board supporting the article.

There being no discussion, the Moderator declared Article 32 carried by unanimous voice vote.

CITIZEN’S PETITION – PLANNING BOARD

Article 33. 1. To see whether the Town will vote to amend the vote of Town Meeting of February 24, 1959, which established a five-member Planning Board pursuant to G.L. c. 41, Section 81A, with all members of the Planning Board appointed by the Board of Selectmen; and in place thereof to establish a Planning Board pursuant to G.L. c 41, Section 81A with five members, each to be elected at Annual Town Elections.

If No. 1 above is approved:

2. To see if the Town will vote to instruct the Selectmen to hold a Special Town Meeting to be held within thirty (30) days of this vote, to elect five new members of the Planning Board, one for a term of one year, one for a term of two years, one for a term of three years, one for term of four years, and one for a term of five years, and thereafter, on the expiration or each term, each member to be elected at Annual Town Elections for a five year term.

Proceeding: Anita Barker moved, and it was seconded, the Town vote to amend the vote of Town Meeting of February 24, 1959, which established a five-member Planning Board pursuant to G.L. c.41, Section 81A, with all members of the Planning Board appointed by the Board of Selectmen; and in place thereof to establish a Planning Board pursuant to G.L. c.41, Section 81A with five members to be elected at the next Annual Town Election, as follows; one member to be elected for a five-year term, one member to be elected for a four-year term, one member to be elected for a three-year term, one member to be elected for a two-year term, and one member to be elected for a one-year term. Upon the expiration of each of these terms, each member shall be elected for a five-year term.

Town Counsel Joel Bard stated there will be five positions on the ballot at the first election and each candidate will have to choose which specific term they will be running for.

Following a lengthy discussion, a motion was made from the floor to “call the question”. The Moderator informed the audience that it would require a 2/3rds majority to end discussion. After an undefined voice vote the Moderator called for a standing vote and declared the motion to “call the question” carried by 140 in favor and 55 opposed

The Moderator then took a vote on the main article which he declared as approved with a vote of 111 in favor and 108 opposed.

CITIZEN’S PETITION TO AMEND ZONING BY-LAWS

Article 34. In accordance with M.G.L. c. 40A, §5 and Section 70-8.5 of the Williamstown Code, we the undersigned registered voters of the Town of Williamstown and the property owner of land that would be affected by the proposed amendment respectfully request the Selectman and Planning Board take such action as is necessary and advisable to submit for adoption at the annual town meeting in May, 2007 the following proposed amendment to Chapter 70 “Zoning” of the Williamstown Code:

- (1) Amend Current Section 70-2.1.B by adding ARural Business District (RB)@ as an additional overlay district.
- (2) Amend Current Section 70-2.3 by adding a new subsection [_.] as follows:

[_.] Rural Business District. The Rural Business District shall consist of the land shown on (a) Lot 12 of Map 303 of the Williamstown Assessors Atlas, as updated to 2003, and on file in the Office of the Town Clerk and (b) that 4.3 acre area of Lot 11, Map 303 of the Williamstown Assessors Atlas, as updated to 2003, and on file in the Office of the Town Clerk, that was excluded from the Agricultural Preservation Restriction granted by Fritz Langer and Stephania H. Langer to the Commonwealth of Massachusetts, acting through the Commissioner of Food and Agriculture, and the Town of Williamstown, acting through its Conservation Commission, by instrument recorded on July 7, 1983 in the Berkshire Northern District Registry of Deeds in Book 721, Page 102. This excluded area is more particularly described and bounded in that plan entitled APlan of Land in Williamstown, Mass. Prepared for Fritz Langer from Record Plans and Field Observations, Scale 1" = 200', May 7, 1983,@ prepared by Henry C. Neff Associates, Inc., recorded on July 7, 1983 in the Berkshire Northern District Registry of Deeds in Book 721, Page 112, and on file in the Office of the Town Clerk. Said plan is hereby incorporated into this chapter.

(3) Amend Current Section 70-7.4 by adding a new subsection [_.] as follows:

[_.] Rural Business District.

(1) Intent. The Rural Business District (RBD) is established to promote in South Williamstown retail businesses that are consistent with the historic character of the neighborhood and on a scale that reflects the compact nature of the RBD and the rural nature of the underlying Rural Residence District 2.

(2) Superimposition. The RBD is superposed over the underlying Rural Residence District 2. Within the RBD, the requirements of the underling district continue to apply except as modified by the RBD Use Regulation Schedule set forth below in Table 7.X.X. Where there is no entry in Table 7.X.X, the underlying Rural Residence District 2 Use Regulation Schedule, as set forth in Section 70-3.3, continues to control.

Table 7.X.X
Rural Business District Use Regulation Schedule

USE	RBD
RESIDENTIAL USES	
Dwelling units located on premises with a nonresidential use.	Yes ^H
BUSINESS USES	
Gift shop, antique shop, and place for display or sale of handicrafts.	SPS*
Retailing local crafts (see ' 70-7.2A)	SPS*
Restaurant	
Service for consumption within the building.	SPS*
More than incidental service for consumption outside building.	SPS*
Other retail or service:	
Principally within buildings.	SPS*
Principally outdoors.	BA

^H Yes, provided that all residential uses are located above the first floor and that the lot area per dwelling unit equals or exceeds the minimum lot area for Rural Residence 2 set forth in ' 70.4.3 (no additional lot area required for nonresidential use).

* Permitted as of right, except requiring a special permit from the Board of Appeals if involving drive-in or drive through facilities, or if the cumulative total of gross floor area created on the premises subsequent to May 18, 2004 would exceed 10,000 square feet.

- (3) Special permits. The special permit granting authority (SPGA) shall be the Zoning Board of Appeals, which shall operate under the procedures and employ the criteria set forth in ' 70-8.4.

This article was withdrawn at the Planning Board hearing. It could not be removed from the town meeting warrant, but it is not intended to be moved or voted on.

Proceeding: No action taken on this article.

The meeting returned to Article 13, which had been postponed. (discussion is recorded proceedings under Article 13)

A motion was made, and seconded from the floor, to adjourn the meeting. The Moderator declared the meeting adjourned at 9:25 PM.

And you are hereby directed to serve this Warrant by posting attested copies thereof in four or more public places, as well as the United States Post Office within the Town.

Hereof fail not and make return of this Warrant, with your doings to the Town Clerk on or before the time set for holding said meeting.

Philip C. Guy, Chairman
 Jane B. Allen
 John R. Madden
 Richard C. Steege
 David A. Rempell
Williamstown Board of Selectmen

**Berkshire, ss:
 April 18, 2007**

I hereby certify that I have posted attested copies of the above Warrant in four public places in the Town of Williamstown, and the Post Office at least seven days before said Annual Town Election and Town Meeting.

**Signed:Paul E. Yarter
 Constable**

A true record, attest:

**Mary Courtney Kennedy
 Town Clerk**

