

**ANNUAL TOWN MEETING**

**FISCAL YEAR  
JULY 1, 2010 to JUNE 30, 2011**

**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 ELEVENTH OF MAY 2010 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 EIGHTEENTH DAY OF MAY 2010 AT SEVEN O'CLOCK P.M. for the following purpose:

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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**ELECTION OF TOWN OFFICERS**

**Article 1.** To choose one Moderator for a three year term; two Selectmen for three year terms; two Elementary School Committee (K-6) members for three year terms; four Library Trustees for three year terms; one Library Trustee for a one year term; one Northern Berkshire Vocational Regional School Committee member for a three year term; one Housing Authority member for a five year term; one Housing Authority member for a four year term and one Planning Board member for a five year term, and two (2) Ballot Questions for Proposition 2½ Debt Exclusions.

*The election occurs on May 11, after this document goes to press. Election results are posted on the town web site [www.williamstown.net](http://www.williamstown.net).*

Proceeding: The Moderator opened the 2010 Annual Town Meeting at 7:05 PM in the gymnasium of the Williamstown Elementary School. One hundred seventy one (171) registered voters checked in for the meeting.

Tom Costley, Chairman of the Board of Selectmen read the names of the residents serving on town committees and boards and whose terms are expiring June 30<sup>th</sup>. He then acknowledged Stan Parese, who was serving his last session after 12 years as Town Moderator.

Suzanne Dewey thanked Jeff Strait for his 17 years of service on the Finance Committee.

The Moderator announced the recipients of the following awards:

Williamstown Community Chest Volunteer Award - Peter Mehlin

Williamstown League of Women voters Town Employee Award – Janet Saddler

Faith Scarborough Award – Nancy McIntire

**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 **\$380,788** from the General Fund Unreserved Fund Balance to reduce the tax rate, or take any other action in relation thereto.

**The Finance Committee unanimously recommends that the Town vote to appropriate the sum of \$380,788 from the General Fund Unreserved Fund Balance.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*The Town customarily applies excess receipts and unused appropriations from the previous fiscal year (Unreserved Fund Balance or "Free Cash") to lower the tax rate.*

Proceeding: The Chairman of the Finance Committee moved, and it was seconded Town vote to appropriate the sum of \$ 380,788 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 majority 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 **\$488,850** 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>2011 Interest and Principal</u>
DPW Garage	1997	7	\$ 1,800,000	\$ 110,463
Landfill Engineering	1997	1	\$ 50,000	\$ 1,967
Landfill Closure	1997	6	\$ 215,000	\$ 14,781
Sherman Chapel Repair	2001	9	\$ 132,800	\$ 10,694
Landfill Closure	2005	10	\$ 150,000	\$ 14,000
Elementary School	2005	15	\$ 4,200,000	\$ 336,945
				<u>\$ 488,850</u>

**The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$478,156 from taxation and that \$10,694 be appropriated from the Sherman Burbank Memorial Fund.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*Each of the above items is a bond issue that 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 \$478,156 from taxation, and that \$10,694 be appropriated from the Sherman Burbank Memorial Fund to pay interest and maturing debt.

There being no discussion, the Moderator declared Article 4 carried unanimously.

**LOCAL MEALS EXCISE**

**Article 5.** To see if the Town of Williamstown will vote to accept G.L. c. 64L s. 2(a) to impose a local meals excise, or take any other action in relation thereto.

**The Finance Committee unanimously recommends that the Town vote to accept G.L. c. 64L s. 2(a) to impose a local meals excise.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*This article will impose a 0.75% (75 cents on \$100) meals tax. The Massachusetts Department of Revenue estimates this will raise \$95,256 in the first year.*

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to accept GL.c.64L s.2(a) to impose a local meals excise .

Matthew Holland advocated against the passage of Article 5, as well as Articles 6 & 7, due to his concern that Williamstown is becoming an unaffordable place to live.. Suzanne Dewey Chairman of the Finance Committee stated this budget assumes the passage of Article 6 & 7 which are intended to make up for the cuts for the cuts in state aid.

Following a short discussion, the Moderator declared Article 5 carried by majority voice vote.

**LOCAL ROOM OCCUPANCY EXCISE**

**Article 6.** To see if the Town of Williamstown will vote to amend its local room occupancy excise under G.L. c. 64G s. 3A to the rate of six (6) percent, or take any other action in relation thereto.

**The Finance Committee unanimously recommends that the Town vote to amend its local room occupancy excise under G.L. c. 64G s. 3A to the rate of six (6) percent.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*This article will increase the local room tax from 4% to 6%, raising an additional estimated \$92,000 in the first year.*

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to amend its local room occupancy excise under G.L.c.64G s.3A to the rate of six (6) percent.

Following a short discussion, the Moderator declared Article 6 carried by unanimous voice vote.

**GENERAL GOVERNMENT**

**Article 7.** To see if the Town will vote to raise and appropriate or appropriate from available funds in the treasury, the sum of **\$6,302,923** or any other sum, to pay interest and maturing debt, and for charges, expenses and outlays of the several Town Departments, namely:

	<b>Fiscal Year</b> <b><u>2010</u></b>	<b>Fiscal Year</b> <b><u>2011</u></b>
Executive	\$250,315	\$253,784
Administration & Finance	\$1,646,492	\$1,701,020
Inspection Services	\$348,635	\$367,199
Public Safety	\$1,238,461	\$1,283,792
Public Works	\$1,921,033	\$1,962,598
Human Services	\$721,802	\$734,530
	<b><u>\$6,126,738</u></b>	<b><u>\$6,302,923</u></b>

**The Finance Committee unanimously recommends the Town vote to raise and appropriate \$6,088,333 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 Trust Fund; and that \$6,290 be appropriated from the Sherman Burbank Memorial Trust.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*The General Government budget is a 2.9% increase over the current year.*

Proceeding: The Chairman of the Finance Committee moved, the Town vote to raise and appropriate \$6,088,333 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 Trust Fund; and that \$6,290 be appropriated from the Sherman Burbank Memorial Trust.

Following a short discussion, the Moderator declared Article 7 carried by majority voice vote.

**General Government Detail**

	<b>Fiscal Year <u>2010</u></b>	<b>Fiscal Year <u>2011</u></b>
<b>EXECUTIVE</b>		
Selectmen	\$6,583	\$6,665
Town Manager	\$221,927	\$225,261
Town Counsel	\$20,000	\$20,000
Emergency Management	\$1,805	\$1,858
	<u>\$250,315</u>	<u>\$253,784</u>
<b>ADMINISTRATION &amp; FINANCE</b>		
Insurance	\$122,650	\$112,650
Finance Committee	\$732	\$749
Finance Director	\$220,955	\$227,688
Assessors	\$110,535	\$163,698
Treasurer-Collector	\$163,572	\$155,556
Data Processing	\$22,957	\$18,657
Town Clerk	\$76,215	\$76,743
Registrars of Voters	\$15,627	\$19,288
Employee Benefits	\$913,249	\$925,991
	<u>\$1,646,492</u>	<u>\$1,701,020</u>
<b>INSPECTION SERVICES</b>		
Building Inspector	\$259,151	\$275,055
Health Inspector	\$76,745	\$79,284
Conservation Commission	\$2,830	\$2,884
Planning Board	\$2,185	\$2,185
Zoning Board of Appeals	\$3,900	\$3,900
Historical Commission	\$500	\$500
Sealer of Weights	\$3,324	\$3,391
	<u>\$348,635</u>	<u>\$367,199</u>
<b>PUBLIC SAFETY</b>		
Police Department	\$1,008,587	\$1,049,166
Dispatch Services	\$197,252	\$201,335
Animal Control Officer	\$26,695	\$27,300
Forest Warden	\$5,927	\$5,991
	<u>\$1,238,461</u>	<u>\$1,283,792</u>
<b>PUBLIC WORKS</b>		
DPW Director	\$145,075	\$149,539
Highway Department	\$1,118,048	\$1,142,886
Snow and Ice	\$163,308	\$163,308
Parks and Cemetery	\$248,240	\$254,279
Facilities Management	\$184,012	\$190,090
Burbank Chapel	\$6,290	\$6,290
Recreation	\$14,201	\$14,347
Forestry Department	\$41,859	\$41,859
	<u>\$1,921,033</u>	<u>\$1,962,598</u>
<b>HUMAN SERVICES</b>		
Council on Aging	\$213,039	\$218,469
Veterans' Services	\$39,100	\$39,415
Library	\$466,573	\$473,556
Veterans' Graves & Holidays	\$3,090	\$3,090
	<u>\$721,802</u>	<u>\$734,530</u>

**CAPITAL IMPROVEMENT PROGRAM**

**Article 8.** To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of **\$540,113** or any other sum, for the following capital expenditures:

<u>Item</u>	<u>Dept</u>	<u>Amount</u>
Spring Street - Sidewalk Repair	Highway	\$ 20,000
North Hoosac Road - Engineering	Highway	\$ 25,000
Replace 1999 International Dump Truck	Highway	\$ 140,000
Replace 1998 Trackless Sidewalk Plow	Highway	\$ 108,000
Replace 2002 Ford Dump Truck	Highway	\$ 60,000
Replace 1986 3-ton Roller	Highway	\$ 31,500
Replace 2002 Chevrolet 4x4 Pickup	Parks & Cemetery	\$ 28,000
Cemetery Roads Repair	Parks & Cemetery	\$ 62,613
Replace 1994 Utility Van	Sewer	\$ 25,000
Water Meter Replacements	Water	\$ 40,000
		<u>\$ 540,113</u>

**The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$475,113 from taxation, that \$29,099 be raised and appropriated from Estimated Water Receipts, that \$10,901 be appropriated from Water Fund Unreserved Fund Balance and that \$25,000 be raised and appropriated from Estimated Sewer Receipts.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

Proceeding: The Chairman of the Finance Committee moved and it was seconded the Town vote to raise and appropriate the sum of \$475,113 from Taxation; that \$ 29,099 be raised and appropriated from Estimated Water Receipts; that \$10,901 appropriated from Water Fund Unreserved Fund Balance and that \$25,000 be raised and appropriated from Estimated Sewer Receipts to pay for the Capital Projects as listed in the warrant .

Matthew Holland questioned the trade in values of the vehicles being replaced, The Town Manager estimated the value to be about \$50,000.

Richard Haley questioned spending \$400,000 for new vehicles when Mount Greylock Regional High School is falling down and parents have to pay for sports participation.

Following a short discussion, the Moderator declared Article 8 carried by a vote of 127 in favor and 41 opposed.

**LOCAL PUBLIC SCHOOLS (GRADES K-6)**

**Article 9.** To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of **\$5,261,543** 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.

**The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$5,261,543 from taxation.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to raise and appropriate the sum of \$5,261,543 from taxation to pay charges, expenses and outlays of the School Department.

Fred Leber requested the article be rejected for clarification and then be resubmitted. He felt that voters may not be aware of what is inside of the budget. He stated that a \$50,000 law suit settlement was paid secretly from the payroll account. He urged the voters to vote against the budget as presented.

Adam Filson, Chairman of the Elementary School Committee addressed the settlement issue, which was paid from the FY10 budget.

Michael Sussman requested that future budgets for the school have a list of line items.

Following a lengthy discussion, the Moderator declared Article 9 carried by majority voice vote.

**NORTHERN BERKSHIRE VOCATIONAL REGIONAL SCHOOL DISTRICT**

**Article 10.** To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of **\$239,084** or any other sum, being Williamstown’s share of the Northern Berkshire Vocational Regional School District 2010-2011 fiscal budget, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$239,084 from taxation.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

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

	<b>Fiscal Year</b>	<b>Fiscal Year</b>
	<b><u>2010</u></b>	<b><u>2011</u></b>
Minimum Contribution	\$210,494	\$190,680
Transportation Assessment	\$1,258	\$6,765
Capital Assessment	\$43,181	\$41,639
	<u>\$254,933</u>	<u>\$239,084</u>

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to raise and appropriate the sum of \$239,084 from taxation to pay Williamstown’s share of the Northern Berkshire Vocational Regional School District 2010-2011 budget.

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

**MOUNT GREYLOCK REGIONAL SCHOOL DISTRICT**

**Article 11.** To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of **\$4,648,154** or any other sum, being Williamstown’s share of the Mount Greylock Regional School District 2010-2011 fiscal budget, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$4,648,154 from taxation.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*The MGRSD assessment to Williamstown is a 4.57% increase from the current year. The FY11 assessment to Lanesborough is \$2,540,662 - a 10.85% increase over this year. The total proposed budget is \$10,216,000 – a 3.12% increase from the current year.*

Proceeding: The Chairman of the Finance Committee moved the Town vote to raise and appropriate the sum of \$4,648,154 from taxation, Williamstown’s share of the Mount Greylock Regional School District 2010-2011 fiscal budget.

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

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**TO AMEND MOUNT GREYLOCK REGIONAL SCHOOL DISTRICT AGREEMENT**

**Article 12.** To see if the Town will vote to amend the Agreement between the Towns of Lanesboro and Williamstown with respect to the formation of a Regional School District, a copy of which is on file with the Town Clerk, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

Proceeding: The Chairman of the Mount Greylock Regional School Committee, moved and it was seconded, the Town vote to adopt Article 12. Voters were given the following handout when they checked in which contained three wording changes which will be included with the entire District Agreement which is in an appendix at the end of the Town Meeting Warrant. Those changes are as follows:

**Change 1: to bring the wording of the agreement into conformity with state statute.**

SECTION I - TYPE OF REGIONAL DISTRICT SCHOOL

Emendation in bold:

The regional district school shall be a secondary school consisting of grades seven through twelve, inclusive. The regional district School Committee is hereby authorized, in its discretion, to establish and maintain state-aided vocational education acting as trustees therefore, in accordance with the provisions of Chapter 74 of the General Laws **and as an extension of programs offered by the McCann Regional Vocational Technical School and under their licensure.**

**Change 2: to accommodate town usage. Lanesborough's executive is the "town administrator"**

SECTION V - BUDGET

Emendation in bold:

(A) Tentative Maintenance and Operating Budget

In each year the School Committee shall prepare a tentative budget for the ensuing fiscal year and forward it to the town managers/**administrators** of Lanesborough and Williamstown at least ninety days prior to the earliest town meeting among the member towns, including therein provisions for any installment of principal or interest to become due in such year on any bonds or other evidences of indebtedness of the District and any other capital costs to be apportioned to the member towns in such year.

**Change 3: to clarify the steps for phasing in the 5-year rolling average for apportioning operating costs.**

SECTION VI - APPORTIONMENT AND PAYMENT OF COSTS INCURRED BY THE DISTRICT

Emendation in bold:

(E) Apportionment of Operating Costs

This provision does not have a retroactive application; **averaging the ratio of pupil enrollment will be phased in as follows:**

**FY 2011: based on pupil enrollment figures from October 1 of 2009**

**FY 2012: based on the average of pupil enrollment figures from October 1 of 2009 and 2010**

**FY 2013: based on the average of pupil enrollment figures from October 1 of 2009, 2010, and 2011**

**FY 2014: based on the average of pupil enrollment figures from October 1 of 2009 through 2012**

**FY 2015: based on the average of pupil enrollment figures from October 1 of 2009 through 2013**

**Thereafter the formula for cost sharing will be based on the average of October 1 pupil enrollment figures from the most recent five fiscal years available at the time of budget preparation.**

Proceeding: David Archibald, Chairman of the MGRHS Committee, moved and it was seconded, moved the Town vote to adopt Article 12. He explained the reason for the amending the agreement was the fact that it was long overdue. The 1993 Education Reform rendered much of it obsolete. Also the recent fluctuation on valuations of student assessments. The new agreement has a five year averaging agreement. Also there is a revision to the appointment process for new members who fill a vacancy.

There being no discussion, the Moderator declared Article 12 carried by unanimous voice vote.

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### **FINANCE COMMITTEE RESERVE FUND**

**Article 13.** To see if the Town will vote to raise and appropriate the sum of **\$50,000** for the Finance Committee Reserve Fund, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$50,000 for the Finance Committee Reserve Fund.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*The Reserve Fund is established under G.L. c. 40 § 6 to provide for extraordinary or unforeseen expenditures authorized by the Finance Committee.*

Proceeding: The Finance Committee recommends the Town vote to raise and appropriate the sum of \$50,000 for the Finance Committee Reserve Fund.

There being no discussion, the Moderator declared Article 13 carried by unanimous voice vote.

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### **STABILIZATION FUND**

**Article 14.** To see if the Town will vote to raise and appropriate the sum of **\$25,000** for the Stabilization Fund, or take any other action in relation thereto.

*This article requires a 2/3 vote.*

**The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$25,000 for the Stabilization Fund.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*This appropriation is a small step in restoring the \$150,000 taken from Stabilization in 2009. The Stabilization Fund is critical to maintaining the Town's AAA3 bond rating with Moody's Investor Services.*

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to raise and appropriate the sum of \$25,000 for the Stabilization Fund.

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

### WILLIAMSTOWN CHAMBER OF COMMERCE

**Article 15.** To see if the Town will vote to raise and appropriate the sum of **\$24,292** for the Williamstown Chamber of Commerce to promote tourism, or take any other action in relation thereto.

**The Finance Committee unanimously recommends that the Town vote to raise and appropriate the sum of \$24,292 for the Williamstown Chamber of Commerce.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*The appropriation for the Chamber of Commerce to promote tourism is 10% of the Room Occupancy Excise Tax collected during calendar year 2009. This is \$224 less than last year.*

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to raise and appropriate the sum of \$24,292 for the Williamstown Chamber of Commerce to promote tourism.

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

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### WILLIAMSTOWN YOUTH CENTER

**Article 16.** To see if the Town will vote to raise and appropriate the sum of **\$65,096** for the Williamstown Youth Center to provide youth recreation services, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$65,096 to support the Williamstown Youth Center.**

**The Board of Selectmen recommends the adoption of this article by a vote of 4-0-1.**

*The Youth Center appropriation is a \$968 increase over the current year.*

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to raise and appropriate the sum of \$65,096 to support the Williamstown Youth Center to provide youth recreation services.

Paul Jennings, WYC board member, stated the funds are requested annually and have nothing to do with the Capital Campaign for the new facility.

There being no discussion, the Moderator declared Article 16 carried by unanimous voice vote.

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### PUBLIC LIBRARY REVOLVING FUND

**Article 17.** To see if the Town will vote pursuant to G.L. c. 44 § 53E½, 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 (\$25,000) Dollars, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*The Library Revolving Fund allows the Board of Library Trustees to collect fines, copy machine fees, room rental fees, and other miscellaneous income and to 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 this article.

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

**SEWER DEPARTMENT**

**Article 18.** To see if the Town will vote to appropriate from Estimated Sewer Receipts the sum of **\$1,127,931** 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 Finance Committee unanimously recommends the Town vote to appropriate the sum of \$1,077,931 from Estimated Sewer Receipts and the sum of \$50,000 from Sewer Fund Unreserved Fund Balance.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*The Sewer Department is an Enterprise Fund. All expenses related to the operation of the department are paid by user fees rather than taxation. The sewer rate next year will be \$5.43 per 100 cubic feet plus an additional \$.55 for users along Cold Spring Road. The current rates are \$4.92 and \$5.39 respectively.*

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to appropriate the sum of \$1,077,931 from Estimated Sewer Receipts and \$50,000 from Sewer Fund Unreserved Fund Balance to pay interest and maturing debt, and for charges, expenses and outlays of the Sewer Department.

There being no discussion, the Moderator declared Article 18 carried by unanimous voice vote.

**WATER DEPARTMENT**

**Article 19.** To see if the Town will vote to appropriate from Estimated Water Receipts the sum of **\$966,908** 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 Finance Committee unanimously recommends the Town vote to appropriate the sum of \$916,908 from Estimated Water Receipts and the sum of \$50,000 from Water Fund Unreserved Fund Balance.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*The Water Department is an Enterprise Fund. All expenses related to the operation of the department are paid by user fees rather than taxation. The water rate next year will be \$3.74 per 100 cubic feet, an increase of \$.37 from \$3.37.*

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to appropriate the sum of \$916,908 from Estimated Water Receipts and \$50,000 from Water Fund Unreserved Fund Balance to pay interest and maturing debt, and for charges, expenses and outlays of the Water Department.

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

**WATER RATE**

**Article 20.** To see if the Town will, in accordance with § 7, Chapter 606 of the Acts and Resolves of 1941, vote to approve a municipal water rate of **\$3.74** per 100 cubic feet of water as fixed by the Board of Selectmen at their meeting of April 12, 2010 to be effective July 1, 2010, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to approve a municipal water rate of \$3.74 per 100 cubic feet.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

Proceeding: The Chairman of the Board of Selectmen moved, and it was seconded, the Town vote to approve a municipal water rate of \$3.74 per 100 cubic feet.

There being no discussion, the Moderator declared Article 20 carried by unanimous voice vote.

**TRANSFER STATION DEPARTMENT**

**Article 21.** To see if the Town will vote to appropriate from Estimated Transfer Station Receipts or other available funds the sum of **\$205,565** 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.

**The Finance Committee unanimously recommends the Town vote to appropriate the sum of \$165,565 from Estimated Transfer Station Receipts and \$40,000 from Transfer Station Unreserved Fund Balance.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*The Transfer Station Department is an Enterprise Fund. All expenses related to the operation of the department are paid by user fees rather than taxation. The FY11 budget includes no increase in the sticker fee (\$75) or the price of bags (\$2.50 and \$1.25). The last increase in stickers and bags was July 1, 2006.*

Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the sum of \$165,565 from Estimated Transfer Station Receipts and \$40,000 from the Transfer Station Unreserved Fund Balance 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 21 carried by unanimous voice vote.

**CHAPTER 90 HIGHWAY FUNDS**

**Article 22.** 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.

**The Finance Committee unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*Chapter 90 funds are those monies distributed by the State for highway projects. One requirement of the Chapter 90 program is that the Town spend the money before it receives it. Since the Town cannot spend money it does not have, this article authorizes the Treasurer to borrow money in anticipation of receiving the Chapter 90 reimbursement from the Commonwealth.*

Proceeding: The Chairman of the Finance Committee 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.

**COMMUNITY PRESERVATION – OPEN SPACE**

**Article 23.** To see if the Town will vote to appropriate the amount of **\$62,500** from Community Preservation funds reserved for open space to provide matching funds for an application to the Massachusetts Agricultural Preservation Restriction Municipal (APR-Muni) Grant Program to purchase an Agricultural Preservation Restriction (APR) on 92+/- acres of the Fairfields Farm as shown on Assessors Maps 124-3 and 206-3 and 25+/- acres of Assessors Parcel 206-23, and to authorize the Board of Selectmen to enter into a grant agreement with the Commonwealth of Massachusetts and Fairfields Dairy Farm, LLC outlining the purposes for and the conditions upon which these funds may be expended, and to authorize the Board of Selectmen or its designee to accept one or more deed restrictions on said property meeting the requirements of G. L. c. 184 § 31, or take any other action in relation thereto.

**The Community Preservation Committee unanimously recommends the adoption of this article.**

**The Finance Committee unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*This article provides \$62,500 in Town funds to augment \$17,500 from Williamstown Rural Lands Foundation and \$1,175,000 in State funds to purchase an APR on 117+/- acres of Fairfields Farm on Green River Road and Blair Road. No additional taxes are levied by this article.*

Proceeding: The Chairman of the Community Preservation Committee moved, and it was seconded, the Town vote to appropriate the amount of **\$62,500** from Community Preservation funds reserved for open space to provide matching funds for an application to the Massachusetts Agricultural Preservation Restriction Municipal (APR-Muni) Grant Program to purchase an Agricultural Preservation Restriction (APR) on 92+/- acres of the Fairfields Farm as shown on Assessors Maps 124-3 and 206-3 and 206-10 and 25+/- acres of Assessors Parcel 206-23, and to authorize the Board of Selectmen to enter into a grant agreement with the Commonwealth of Massachusetts and Fairfields Dairy Farm, LLC outlining the purposes for and the conditions upon which these funds may be expended, and to authorize the Board of Selectmen or its designee to accept one or more deed restrictions on said property meeting the requirements of G. L. c. 184 § 31.

Philip McKnight, Chairman of the CPC directed voters to a slight change in the motion from the original article. A map was given to voters, with side one showing the original parcels as printed in the warrant and side two showing the slight change with lot 206-10 and 206-3.

Mr. McKnight stepped aside from further discussion, due to his being a board member of the Williamstown Rural Lands Foundation. Jeff Strait, CPC member, addressed further questions.

Following a short discussion, the Moderator declared Article 23 carried by majority voice vote.

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**CPA – COMMUNITY HOUSING, OPEN SPACE, HISTORIC PRESERVATION,  
and COMMITTEE EXPENSES**

**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 2011 Community Preservation budget, and to appropriate from the Community Preservation Fund estimated annual revenues the sum of **\$10,000** to meet the administrative expenses of the Community Preservation Committee for Fiscal Year 2011, and further to reserve for future appropriation the sum of **\$26,800** for community housing purposes, the sum of **\$26,800** for open space purposes, and the sum of **\$26,800** for historic resources purposes, or take any other action in relation thereto.

**The Community Preservation Committee unanimously recommends the adoption of this article.**

**The Finance Committee unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*This article funds the operating expenses of the Community Preservation Committee, and appropriates the 10% minimum amount required for community housing, open space, and historic preservation. No additional taxes are levied by this article*

Proceeding: The Chairman of the Community Preservation Committee moved, and it was seconded, the Town vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2011 Community Preservation budget, and to appropriate from the Community Preservation Fund estimated annual revenues the sum of **\$10,000** to meet the administrative expenses of the Community Preservation Committee for Fiscal Year 2011, and further to reserve for future appropriation the sum of **\$26,800** for community housing purposes, the sum of **\$26,800** for open space purposes, and the sum of **\$26,800** for historic resources purposes.

There being no discussion, the Moderator declared Article 24 carried by unanimous voice vote.

**GENERAL BY-LAW AMENDMENT - STRETCH ENERGY CODE**

**Article 25.** To see if the Town will vote to adopt the “Stretch Energy Code” set forth in the State Building Code at 780 CMR 120.AA (i.e., Appendix 120.AA), as may be amended from time to time, and to amend the Town of Williamstown General By-laws by inserting a new Chapter 26, entitled “Stretch Energy Code” as set forth below:

**26. Stretch Energy Code**

**26-1. Adoption.** The Town of Williamstown has adopted the provisions of 780 CMR 120.AA (i.e., Appendix 120.AA of the State Building Code or the “Stretch Energy Code”), as may be amended from time to time, in place of the provisions set forth under 780 CMR 13.00, 34.00, 61.00 and 93.00.

**26-2. Purpose.** The purpose of the Stretch Energy Code shall be to provide the Town with a more energy efficient alternative to the base energy code otherwise set forth under the State Building Code.

or take any other action relative thereto.

**The Finance Committee unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*Passage of this article will satisfy criterion #5 of the Green Communities Act.*

Proceeding: The Chairman of the Board of Selectmen moved and it was seconded, the Town vote to adopt Article 25.

Tom Ennis explained the Stretch Energy Code would only apply to new construction and that forty communities in Massachusetts have already approved it.

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

**TO REDUCE HISTORICAL COMMISSION MEMBERSHIP**

**Article 26.** To see if the Town will vote to amend Article 3 of the 1973 annual town meeting to reduce the membership of the Historical Commission from seven (7) members to five (5) members, or take any other action relative thereto.

**The Historical Commission unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

Proceeding: The Chairman of the Board of Selectmen moved, and it was seconded, the town vote to adopt Article 26.

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

**ZONING BY-LAWS - TO AMEND “BUSINESS CAMPUS”**

**Article 27.** To see if the Town will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows:

**Remove “Business Campus” or “BC” from §70-2.1(A)(2), & §70-3.1(B)**

**Delete §70-2.2(K), §70-3.1(A)(2)(b), & §70-3.4(B) & remove “BC” column from §70-3.3, Use Regulation Schedule**

**Renumber the existing, §70-3.1(A)(2)(c) & §70-3.1(A)(2)(d) as, §70-3.1(A)(2)(b) & §70-3.1(A)(2)(c), respectively**

**Renumber the existing, §70-3.4(c) as §70-3.4(B)**

*This article requires a 2/3 vote.*

**The Planning Board unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*This article will delete all references to the former Business Campus District that was removed from the Zoning Map when the Town Department of Public Works Garage was constructed on the site.*

Proceeding: The Chairman of the Planning Board moved, and it was seconded, the Town vote to adopt Article 27. The Planning Board gave a favorable report of the proposed amendment.

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

**ZONING BY-LAWS – TO DELETE A DEFINITION**

**Article 28.** To see if Town will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows:

**Delete from §70-9 the definition for Structurally Able**

*This article requires a 2/3 vote.*

**The Planning Board unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*This article will remove the definition for Structurally Able from the zoning bylaw. This definition is redundant as the Massachusetts State Building Code provides the official definition of the term.*

Proceeding: The Chairman of the Planning Board moved, and it was seconded, the Town vote to adopt Article 28. The Planning Board gave a favorable report of the proposed amendment.

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

**ZONING BY-LAWS – TO AMEND USE REGULATION SCHEDULE**

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

**Delete from §70-3.3.C Use Regulation Schedule: Other Uses:** “Other use determined to be of similar character to uses permitted by right or allowed on special permit in the district”

*This article requires a 2/3 vote.*

**The Planning Board unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*This article will remove a provision from the use regulation table that allows the Zoning Board of Appeals to permit different types of uses in any zoning district in town at their discretion. The breadth of this discretion poses the risk that the ZBA may grant Use Variances which under our zoning are illegal. It also leaves it uncertain as to what uses are permitted in a district.*

Proceeding: The Chairman of the Planning Board moved, and it was seconded, the Town vote to adopt Article 29. The Planning Board gave a favorable report of the proposed amendment.

Following a short discussion, the Moderator declared Article 28 carried by a vote of 126 in favor and 17 opposed.

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### **ZONING BY-LAWS – TO AMEND PARKING REQUIREMENTS**

**Article 30.** To see if the Town will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows:

**Amend §70-6.1 by creating a new §70-6.1.D(2) District Parking Exceptions:**

(2) Spring Street Parking Requirements:

Off street parking shall not be required for properties fronting on Spring Street, except for the following uses:

(a) Multi family Dwellings: One off-street space per bedroom up to a maximum of two spaces per dwelling unit over and above that needed for access roadways and maneuvering.

(b) Places of public assembly: The number of spaces shall be determined by the Planning Board according to the same criteria as § 70-6.1B(11), Non-listed uses.

**Delete the current §70-6.1.D(1)(b) “Downtown Parking Allocation Formula”**

**Delete the current Appendix A – Allocation of Parking In Downtown Williamstown**

**Amend § 70-3.4.C(1), Spring Street Development Requirements, by creating a new §70-3.4.C(1)(e):**

(e) Parking Requirements: Properties fronting on Spring Street shall comply with §70-6.1.D(2) District Parking Exceptions: Spring Street Parking Requirements.

*This article requires a 2/3 vote.*

**The Planning Board unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*This article will remove the requirement that businesses on Spring Street provide off street parking areas. Any residential development on Spring Street will still require off street parking. This revision is intended to allow more concentrated development in the downtown area as the topography and small lot sizes of Spring Street properties do not allow for construction of substantial off street parking lots.*

Proceeding: The Chairman of the Planning Board moved, and it was seconded, the Town vote to adopt Article 30. The Planning Board gave a favorable report of the proposed amendment.

Following a short discussion, the Moderator declared Article 30 carried by a definite 2/3 majority voice vote.

**ZONING BY-LAWS – TO AMEND PARKING REGULATION**

**Article 31.** To see if the Town will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows:

**Amend §70-3.3.B. Use Regulation Schedule: Accessory Uses by deleting:** “The parking of autos and commercial vehicles with a carrying capacity of ¾ tons and less, used by the occupant of the premises”, and replacing it with “The parking of vehicles with a Gross Vehicle Weight Rating of 11,500 lbs. or less, used by an occupant of the premises.”

*This article requires a 2/3 vote.*

**The Planning Board unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*This article will change the restriction on the parking of vehicles that can carry more than ¾ of a ton in residential areas. This revision is in response to changes in the automotive industry. Gross Vehicle Weight Rating (GVWR) is used by the automotive industry and the Federal Government as the standard for defining sizes of vehicles. The proposed 11,500 lb. GVWR limit will allow trucks such as the Ford F-350, Chevrolet Silverado 3500, and the Dodge Ram 3500.*

Proceeding: The Chairman of the Planning Board moved, and it was seconded, the Town vote to adopt Article 31. The Planning Board gave a favorable report of the proposed amendment.

Beth Stomberg, of Luce Road, expressed concern about the weigh limit on the vehicles, stating that those listed in the overview are more closer to 13,000 lbs. She then moved to amend the article , which was seconded , to read, “The parking of vehicles with a Gross Vehicle Weight Rating of **13,000** lbs or less, used by an occupant of the premises.”

Following a short discussion, the amendment was carried by a definite 2/3 majority voice vote.

The Moderator then declared Article 31, as amended, carried by a definite 2/3 majority voice vote.

**ZONING BY-LAWS – TO ALLOW RENEWABLE ENERGY**

**Article 32.** To see if the people of the Town of Williamstown will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows:

**Amend §70-3.1. General requirements, by deleting the current §70-3.1(B), SPS, and replacing with a new §70-3.1(B), SPS as follows:** SPS: A use permitted as a matter of right, except requiring a special permit from the Board of Appeals if involving drive-in or drive-through facilities, or if the area created on the premises subsequent to May 23, 1989, would exceed the following:

- PB District: 20,000 square feet of cumulative gross floor area
- LI District:
  - 1) Research and development or manufacturing for renewable energy; 50,000 square feet of cumulative gross floor area.
  - 2) Other uses; 20,000 square feet of cumulative gross floor area.
- VB District: 5,000 square feet of building area

**Amend §70-3.3 Use Regulation Schedule, Industrial Uses, by adding the following to the table:**

(3) INDUSTRIAL USES	RR1	RR2 RR3	GR1	GR2	LB	TB	VB	PB	LI
Research & Development or Manufacturing for Renewable Energy	No	No	No	No	No	No	No	No	SPS

**Amend §70-9 by adding definitions for the following:**

**Research and Development:** Research and Development facilities are those used primarily for research, development and or testing of innovative information, concepts, methods, processes, materials, or products. This can include the design, development, and testing of biological, chemical, electrical, magnetic, mechanical, and or optical components in advance of product manufacturing.

**Renewable energy:** Any energy resource that is naturally regenerated over a short time scale and derived directly from the sun (such as thermal, photochemical, and photoelectric), indirectly from the sun (such as wind, hydropower, and photosynthetic energy stored in biomass), or from other natural movements and mechanisms of the environment (such as geothermal and tidal energy). Renewable energy does not include energy resources derived from fossil fuels, waste products from fossil sources, or waste products from inorganic sources.

*This article requires a 2/3 vote.*

**The Planning Board unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*This article will allow new industrial uses, such as manufacturing and research and development for renewable energy of 50,000 square feet or less in the limited industrial district without Special Permit approval. Adoption of this article meets one of the criteria for the Town to qualify for the Green Communities Act Grant Program.*

Proceeding: The Chairman of the Planning Board moved, and it was seconded, the Town vote to adopt Article 32. The Planning Board gave a favorable report of the proposed amendment.

Chris Winter, Planning Board Chairman moved to amend the article by replacing #1 under "LI district" with the following, "- LI District: 1) Research and development for **renewable energy**, or manufacturing for renewable energy; 50,000 square feet of cumulative gross floor area."

Concern was expressed by voters about allowing renewable energy research and development or manufacturing facilities in the LI District, which is near the new town garage and railroad track, an area also residential. Dan Gendron made a motion to table the article.

The vote to table the article was defeated by a definite 2/3 majority voice vote.

The Moderator declared Article 32, as amended, carried by a vote of 139 in favor and 8 opposed.

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**VOTER PETITION**

**Article 33.** To see if the town will grant a moratorium to stop or allow any new construction of houses or new landscape or land development in area of North Hoosac rd. between Chestnut St. and roughly Henderson Rd. Because of the storm and ground water drainage problem of the area of 750 North Hoosac Rd. Until said problem is fixed, and the storm water drain plan prior to 2004 can be reinstated to those of that time when we of 750 North Hoosac Rd. were not affected by water problems of land development above our land and that of our surrounding neighbors.

*Article 32 is on the warrant by petition of ten or more registered voters. The wording must be exactly as found on the petition.*

Proceeding: Jeff McLain moved, and it was seconded, the Town vote to adopt Article 33.

Mr. McLain explained that over the past few years, the backyard of his father, Halsey, at 750 North Hoosac Road has been wet because of someone's else's negligence.

Atty. Robert Ware was concerned that the wording of the article should be more defined. Mr. McLain stated he doesn't want to stop development, but just wants the person who caused his water issue to fix it.

Following a short discussion, the Moderator declared Article 33 defeated by voice vote.

**ADJOURNMENT:** Following a motion that was duly seconded, the Moderator declared the 2010 Annual Town Meeting adjourned at 9:30 PM.

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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.

Signed: Tom Costley, Chairman  
Thomas Sheldon  
David Rempell

Jane B. Allen  
Ronald Turbin

**Williamstown Board of Selectmen**

Berkshire, ss:

April 15, 2010

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