

# Town of Williamstown



*"Cricket Creek Farm"*  
Original Oil Painting by William Barkin

## 2024 Annual Town Meeting

### Warrant & Overview

May 23, 2024

## MOTION CHART

Application of Rules is indicated by the Motion's Numerical Sequence

	Debatable	Non-Debatable	Amendable	Non-amendable	Second required	Second not required	Majority vote	2/3 vote	May reconsider	Cannot reconsider
Motions										
1. Point of order		x				x				
2. Previous question										
Terminate Debate		x		x	x			x		x
3. Postpone Indefinitely	x			x	x		x		x	
4. Lay on Table		x		x	x			x	x	
5. Amendment	x		x		x		x		x	
6. Accept & Adopt	x		x		x		x		x	
7. Consider Article										
Out of Order	x		x		x			x		x
8. Reconsider	x			x	x		x			x
9. Adopt a Resolution	x		x		x		x			x
10. Adjourn to a Time										
Uncertain	x		x		x		x		x	
11. Adjourn		x		x	x		x			x

While a motion to amend is under discussion, a motion to postpone indefinitely displaces the previous motion, but a motion to adjourn cannot be taken up until the motion to amend is decided.

### AMENDMENT RULE FOR TOWN MEETING

**To accurately capture proposed amendments to warrant articles for the record, you must submit in writing and in advance any amendment you propose exceeding one sentence in length. Please hand a copy of your proposed amendment to the Moderator before speaking at the microphone. If you do not have a prepared document before Town Meeting, there will be paper available at the Town Clerk's table at Town Meeting for you to handwrite your amendment and present it to the Moderator before you speak.**

**TOWN OF WILLIAMSTOWN  
ANNUAL TOWN MEETING  
FISCAL YEAR  
JULY 1, 2024 to JUNE 30, 2025  
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 on

TUESDAY, THE FOURTEENTH OF MAY 2024 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 Mount Greylock Regional School, 1781 Cold Spring Road, on THURSDAY, THE TWENTY THIRD DAY OF MAY 2024 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 Select Board member, for a three year term; one Library Trustee member, for a three year term; one Housing Authority member, for a five year term; one seat on the Northern Berkshire Vocational Regional School Committee for a three year term and one Planning Board member for a five year term. *The election occurs on May 14, 2024 after this document has gone to the printer. Election results are posted on the town website [www.williamstownma.gov](http://www.williamstownma.gov).*

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**REPORTS OF TOWN COMMITTEES**

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

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**TO APPLY UNRESERVED FUND BALANCE TO REDUCE THE TAX RATE**

**Article 3.** To see if the Town will vote to transfer and appropriate the sum of \$100,000 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 the Town vote to transfer the sum of \$100,000 from the General Fund Unreserved Fund Balance.**

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

**APPROPRIATION FOR DEBT SERVICE**

**Article 4.** To see if the Town will vote to raise and appropriate or appropriate from available funds, the sum of \$645,487.50 or any other sum, to pay interest and maturing debt, or take any other action in relation thereto.

<i>Purpose</i>	<i>Year Borrowed</i>	<i>Years Left</i>	<i>Total Outstanding 7/1/23</i>	<b><i>FY2024 Principal and Interest</i></b>
Elementary School	2005	1	\$193,800	<b>\$193,800.00</b>
Police Station	2018	14	\$3,770,000	<b>\$339,487.50</b>
Cable Mills	2015	1	\$112,200	<b>\$112,200.00</b>

**The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$533,287.50 from taxation and \$112,200.00 be appropriated from the Community Preservation Fund.**

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

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

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

**CAPITAL IMPROVEMENT PROGRAM**

**Article 5.** To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$2,006,000 or any other sum, for the following capital expenditures, or take any other action in relation thereto.

<i>Item</i>	<i>Department</i>	<i>Amount</i>
Water, Sewer, Culvert Vac/Jet Truck (50%)	Highway	\$350,000
North Hoosac Road Mill & Pave (1.4.mi.)	Highway	\$350,000
DPW Dump Truck/Plow/Sander	Highway	\$310,000
Broad Brook Playground Rehab/Fitness Court	Recreation	\$150,000
Whitman Street Mill and Pave	Highway	\$75,000
North Hoosac Slide Stabilization Study	Highway	\$65,000

Tough Book Computers for Vehicles	Police	\$56,000
DPW & Backup Server Upgrades	IT	\$40,000
<b>Subtotal</b>		<b>\$1,396,000</b>
Water, Sewer, Culvert Vac/Jet Truck (25%)	Sewer	\$175,000
Inflow & Infiltration Repair	Sewer	\$150,000
<b>Subtotal</b>		<b>\$325,000</b>
Water, Sewer, Culvert Vac/Jet Truck (25%)	Water	\$175,000
Repave Route 7 Water Break	Water	\$110,000
<b>Subtotal</b>		<b>\$285,000</b>
<b>Total Capital</b>		<b>\$2,006,000</b>

The Finance Committee unanimously recommends the Town vote to transfer from the General Fund Unreserved Fund Balance the sum of \$1,396,000, that \$325,000 be transferred from Estimated Sewer Receipts and that \$285,000 be transferred from Estimated Water Receipts.

The Select Board unanimously recommends the adoption of this article.

*Public Works, Highway, Facilities, Parks and Library items are funded by Unreserved Fund Balance a/k/a "Free Cash" transfers. Sewer and Water Department items are funded by user fees.*

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**SEWER DEPARTMENT**

**Article 6.** To see if the Town will vote to appropriate from Estimated Sewer Receipts the sum of \$1,478,372.49 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 \$1,384,640.18 from Estimated Sewer Receipts and the sum of \$93,732.31 from Sewer Fund Unreserved Fund Balance.

The Select Board unanimously recommends the adoption of this article.

*The sewer rate was \$3.31 for FY24 and will remain unchanged for FY25. The HWQD rate will increase from the FY24 rate of \$4.66 to \$5.16 for FY25 This is a \$.50 increase. The Sewer Department is an Enterprise Fund. All expenses related to the operation of the department are paid by user fees rather than taxation.*

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**WATER DEPARTMENT**

**Article 7.** To see if the Town will vote to appropriate from Estimated Water Receipts the sum of \$681,392.63 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 \$663,099.00 from Estimated Water Receipts and the sum of \$18,293.63 from Water Fund Unreserved Fund Balance.**

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

*The water rate was \$3.85 for FY24 and will remain unchanged for FY24. The Water Department is an Enterprise Fund. All expenses of the Department are paid by user fees, not taxation.*

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### WATER RATE

**Article 8.** 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 \$3.85 per 100 cubic feet of water as fixed by the Select Board at their meeting of April 8, 2024 to be effective July 1, 2024, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to approve a municipal water rate of \$3.85 per 100 cubic feet.**

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

*There is no increase in the rate from the previous year.*

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### TRANSFER STATION DEPARTMENT

**Article 9.** To see if the Town will vote to appropriate from Estimated Transfer Station Receipts or other available funds the sum of \$261,879.73 or any other sum, to pay interest and maturing debt, and for charges, expenses and outlays of the Transfer Station Department, including costs of public trash removal or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to appropriate the sum of \$210,170.00 from Estimated Transfer Station Receipts, the sum of \$31,709.73 from Transfer Station Unreserved Fund Balance and \$20,000 from general taxation.**

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

*The sticker permit fee remains unchanged at \$120 for a primary sticker and \$20 for secondary/temporary stickers. The tag fee also remains unchanged at \$2/bag. The Transfer Station is an Enterprise Fund.*

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**CHAPTER 90 HIGHWAY FUNDS**

**Article 10.** 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 Select Board unanimously recommends the adoption of this article.**

*Chapter 90 funds are distributed by the State for approved highway projects. The Town is required to spend the money before being reimbursed by the state. 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. During FY25, the Town plans to replace water and sewer infrastructure and repave South Street at an approximate cost of \$3 million.*

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**TO FUND OTHER POST EMPLOYMENT BENEFITS**

**Article 11.** To see if the Town will vote to transfer from the General Fund Unreserved Fund Balance the sum of \$50,000 to the Other Post Employment Benefits Liability Trust Fund, established under the provisions of M.G.L. Chapter 32B, Section 20, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to transfer the sum of \$48,037 from Unreserved Fund Balance; that \$1,070 be appropriated from Estimated Water Receipts; that \$658 be appropriated from Estimated Sewer Receipts; and that \$235 be appropriated from Estimated Transfer Station Receipts to the OPEB Trust Fund.**

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

*Last year's appropriation of \$50,000 continued the process to put the Town on a pay-as-you-go basis for Other Post-Employment Benefits, primarily health insurance for retirees.*

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**APPROPRIATION TO COMPENSATED ABSENCES RESERVE FUND**

**Article 12.** To see if the Town will vote to transfer from the General Fund Unreserved Fund Balance the sum of \$50,000 to the Compensated Absences Reserve Fund, established under the provisions of M.G.L. Chapter 40, Section 13D, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to transfer the sum of \$50,000 from Unreserved Fund Balance to Compensated Absences Reserve Fund.**

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

*This appropriation sets aside funds to meet our legal obligation to pay accrued employee benefits upon separation from the Town's employment.*

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**APPROPRIATION TO STABILIZATION FUND**

**Article 13.** To see if the Town will vote to transfer from the General Fund Unreserved Fund Balance the sum of \$100,000 to the Stabilization Fund.

**The Finance Committee unanimously recommends the Town vote to transfer the sum of \$100,000 from Unreserved Fund Balance to the Stabilization Fund.**

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

*This appropriation continues to replenish funds that had previously been used from the Stabilization Fund and brings the expected principal balance to approximately \$1.2M.*

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**REVOLVING FUND SPENDING LIMITS**

**Article 14.** To see if the Town will vote to set annual spending limits for revolving funds for the Fiscal Year July 1, 2024 to June 30, 2025, under the provisions of MGL chapter 44, §53E½.

<b>Revolving Fund</b>	<b>Authorized to Expend</b>	<b>Revenue Source</b>	<b>Use of Fund</b>	<b>Spending Limit</b>
Inspection Services	Building Commissioner	Inspection Fees: Gas, Plumbing, Electrical	Salaries/ Expenses	\$75,000
Public Library	Library Trustees	Fees and Fines	Supplies, Services and Equipment	\$25,000

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

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



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**GENERAL GOVERNMENT FUNDING**

**Article 15.** To see if the Town will vote to raise and appropriate or appropriate from available funds, the sum of \$10,015,191.09 or any other sum, to pay interest and maturing debt, and for charges, expenses and outlays of the several Town Departments, namely:

<u>Department</u>	<u>Fiscal Year 2024</u>	<u>Fiscal Year 2025</u>
Executive	\$433,550.00	\$446,667.38
Administration and Finance	\$3,687,621.01	\$3,803,306.52
Community Development	\$459,992.17	\$461,611.06
Public Safety	\$1,784,072.19	\$1,831,526.45
Public Works	\$2,373,087.07	\$2,414,574.17
Human Services	\$958,747.56	\$1,057,505.51
Total	\$9,697,070.00	\$10,015,191.09

**The Finance Committee unanimously recommends the Town vote to raise and appropriate \$9,800,891 from taxation; that \$117,081 be appropriated from Estimated Water Receipts; that \$82,219 be appropriated from Estimated Sewer Receipts; and that \$10,000 be appropriated from the Sherman Burbank Memorial Trust; and that \$5,000 be appropriated from Cemetery Perpetual Care Trust Fund.**

**The Select Board unanimously recommends the adoption of this article with appropriations as shown above.**

*The General Government appropriation is a 3.28% increase over the current year.*

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**FINANCE COMMITTEE RESERVE FUND**

**Article 16.** To see if the Town will vote to raise and appropriate the sum of \$75,000 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 \$75,000 for the Finance Committee Reserve Fund.**

**The Select Board 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.*

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**PRIOR FISCAL YEAR UNPAID INVOICE**

**Article 17.** To see if the Town will vote to pay Kelley & Ryan Associates, Inc. the sum of \$588.74. Invoice is for work performed in a prior fiscal year and dated 4/23/2021 but the invoice was received in a subsequent fiscal year.

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

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

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**NORTHERN BERKSHIRE VOCATIONAL REGIONAL SCHOOL DISTRICT**

**Article 18.** To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$326,687.00 or any other sum, being Williamstown’s share of the Northern Berkshire Vocational Regional School District FY25 budget, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$326,687.00 from taxation.**

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

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

*The Williamstown assessment is a 25.6% increase from the current year which is attributable to increased enrollment.*

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**MOUNT GREYLOCK REGIONAL SCHOOL DISTRICT**

**Article 19.** To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$13,775,336 or any other sum, being Williamstown’s share of the Mount Greylock Regional School District FY25 budget, or take any other action in relation thereto.

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

	<i>FY2024</i>	<i>FY2025</i>
Operating Assessment	\$12,101,198.00	\$12,623,947.00
Capital Assessment	\$ 1,157,689.00	\$1,151,389.00
<b>Total Assessment</b>	<b>\$13,258,887.00</b>	<b>\$13,775,336.00</b>

**The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$13,775,336 from taxation.**

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

*The Williamstown assessment is a combined budget of the Elementary School and Mount Greylock Regional School due to regionalization. The capital assessment includes debt repayment for the high school renovation as approved in March 2016, and excluded from the levy limit. This bond was for a term of 30 years. The portion of operating assessment attributable to Williamstown Elementary School is \$6,204,368 and the portion attributable to Mount Greylock Regional School is \$6,419,479.*

*This is a 3.9% increase from the current year.*

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*Articles 20 - 25 are appropriated from the Community Preservation Fund which is funded by a 2% surcharge on the real property tax levy.*

### **COMMUNITY PRESERVATION - COMMITTEE EXPENSES**

**Article 20.** To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the FY25 Community Preservation Act budget and to appropriate from the Community Preservation Fund FY2025 estimated annual revenues in the sum of \$5,000 to meet the administrative expenses of the Community Preservation Committee for FY25, 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 Select Board unanimously recommends the adoption of this article.**

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### **COMMUNITY PRESERVATION - HISTORIC PRESERVATION**

**Article 21.** To see if the Town will vote to appropriate from the Community Preservation Fund FY25 estimated annual revenues for historic preservation purposes under the Community Preservation Act, including the amount of \$3,000 in unspent funds authorized in FY2013 for historic preservation purposes, for a total sum of \$50,000, which funds shall revert to the CPA fund if not expended by June 30, 2025, to fund a grant to the Williamstown Meetinghouse Preservation Fund, Inc., to renovate and preserve for the future the structure known as the Meetinghouse, currently owned by First Congregational Church of Williamstown, in accordance with the application submitted to and recommended by the Community Preservation Committee, and to authorize the Town Manager to enter into a grant agreement with the organization upon such terms and conditions as may be appropriate and to authorize the Select Board to accept property interests as may be appropriate, 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 Select Board unanimously recommends the adoption of this article.**

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**COMMUNITY PRESERVATION - COMMUNITY HOUSING**

**Article 22.** To see if the Town will vote to appropriate from the Community Preservation Fund FY25 estimated annual revenues for community housing purposes under the Community Preservation Act, including the amount of \$29,175.45 in unspent funds previously authorized in FY13 to the Affordable Housing Commission, now disbanded, for community housing purposes and the amount of \$85 in unspent funds previously authorized in FY07 for community housing purposes, for a total sum of \$70,000 to fund a grant to the Williamstown Affordable Housing Trust in unrestricted funds for initiatives and programs related to furthering affordable housing in Williamstown, including acquisition of land, in accordance with the application submitted to and recommended by the Community Preservation Committee, and to authorize the Town Manager to enter into a grant agreement with the organization upon such terms and conditions as may be appropriate and to authorize the Select Board to accept property interests as may be appropriate, 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 Select Board unanimously recommends the adoption of this article.**

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**COMMUNITY PRESERVATION - RECREATION**

**Article 23.** To see if the Town will vote to appropriate from the Community Preservation Fund FY25 estimated annual revenues for recreation purposes under the Community Preservation Act, the sum of \$11,100, which funds shall revert to the CPA fund if not expended by June 30, 2025, to fund a grant to Sands Springs Recreational Center, Inc., for recreation purposes in accordance with the application submitted to and recommended by the Community Preservation Committee, and to authorize the Town Manager to enter into a grant agreement with the organization upon such terms and conditions as may be appropriate and to authorize the Select Board to accept property interests as may be appropriate, 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 Select Board unanimously recommends the adoption of this article.**

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**COMMUNITY PRESERVATION - RECREATION**

**Article 24.** To see if the Town will vote to appropriate from the Community Preservation Fund FY25 estimated annual revenues for recreation purposes under the Community Preservation Act, the sum of \$90,000, which funds shall revert to the CPA fund if not expended by June 30, 2025, to fund a grant to the Town of Williamstown for the creation of a Fitness Court along the town's Multi Use Path for recreation purposes in accordance with the application submitted to and recommended by the Community Preservation Committee, and to authorize the Town Manager to enter into a grant agreement with the organization upon such terms and conditions as may be appropriate and to authorize the Select Board to accept property interests as may be appropriate, 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 Select Board unanimously recommends the adoption of this article.**

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**COMMUNITY PRESERVATION - RECREATION**

**Article 25.** To see if the Town will vote to appropriate from the Community Preservation Fund FY25 estimated annual revenues for recreation purposes under the Community Preservation Act, including the amount of \$50,000 in unspent funds authorized in FY2021 for recreation purposes, for a total sum of \$75,000, which funds shall revert to the CPA fund if not expended by June 30, 2025, to fund a grant to the New England Mountain Bike Association – Purple Valley Chapter for recreation purposes in accordance with the application submitted to and recommended by the Community Preservation Committee, and to authorize the Town Manager to enter into a grant agreement with the organization upon such terms and conditions as may be appropriate and to authorize the Select Board to accept property interests as may be appropriate, 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 Select Board unanimously recommends the adoption of this article.**

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**COMMUNITY PRESERVATION - TOWN OF WILLIAMSTOWN BYLAW  
AMENDMENT**

**Article 26.** To see if the Town will vote to amend Section 22-1 (Establishment) of its By-Laws which established a Community Preservation Committee, consisting of eight voting members pursuant to the provisions of MGL, c.44B, Section 5, as heretofore amended, by adding the following: (9) One resident of the Town designated by the Select Board; or to take any other action relative thereto.

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

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

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

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**WILLIAMSTOWN CHAMBER OF COMMERCE**

**Article 27.** To see if the Town will vote pursuant to M.G.L. Chapter 40, Section 6A to transfer from the General Fund Unreserved Fund Balance the sum of \$55,000 for the Williamstown Chamber of Commerce to advertise the Town's resources, advantages, and attractions, in accordance with the application submitted to the Finance Committee, and to authorize the Town Manager to enter into a grant agreement with the organization upon such terms and conditions as may be appropriate or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to transfer from the General Fund Unreserved Fund Balance the sum of \$55,000 for the Williamstown Chamber of Commerce.**

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

*The appropriation for the Chamber of Commerce is intended to promote tourism.  
The Chamber of Commerce appropriation is increased by \$5,000 from the current year.*

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**WILLIAMSTOWN YOUTH CENTER**

**Article 28.** To see if the Town will vote to transfer from the General Fund Unreserved Fund Balance the sum of \$50,000 for the Williamstown Youth Center to provide youth recreation services, in accordance with the application submitted to the Finance Committee, and to authorize the Town Manager to enter into a grant agreement with the organization upon such terms and conditions as may be appropriate or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to transfer from the General Fund Unreserved Fund Balance the sum of \$50,000 to support the Williamstown Youth Center.**

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

*The Youth Center appropriation is decreased by \$17,000 from the current year.*

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### **WILLIAMSTOWN COMMUNITY PRESCHOOL**

**Article 29.** To see if the Town will vote to transfer from the General Fund Unreserved Fund Balance the sum of \$50,000 for the Williamstown Community Preschool to provide preschool services for Williamstown residents, in accordance with the application submitted to the Finance Committee, and to authorize the Town Manager to enter into a grant agreement with the organization upon such terms and conditions as may be appropriate or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to transfer from the General Fund Unreserved Fund Balance the sum of \$50,000 to support Williamstown Community Preschool.**

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

*The Community Preschool appropriation is unchanged from the current year.*

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### **CLARIFICATION AND MODIFICATION TO EXISTING CHARTER PROVISIONS**

**Article 30.** To see if the Town will vote to authorize the Select Board to petition the legislature for the following changes to the Town Charter:

A. Charter Section 6: Clarification of Who Can Administer Oath for Offices.

Change the last sentence of Section 6 of the Charter to be a new paragraph that reads as follows:

All appointed and elected officials shall be sworn to the faithful performance of their duties by the Chairperson of the Select Board, Town Clerk, Justice of the Peace, notary or any other officer qualified to administer oaths.

*Rationale: To clarify that being qualified for office means by taking the oath for office, and to broaden the number of parties eligible to administer oaths.*

B. Charter section 7: Clarification of when elected terms end

Delete the current text of Section 7 (about the former school committee), and replacing it with:

7. Terms of elected offices. The term of office of all elected town officials shall end when their successors are elected and qualified, provided, however, that if annual town elections are held prior to annual town meeting then, in addition, such terms shall end either at the conclusion of town meeting or within 20 days of the election, whichever is sooner.

*Rationale: To confirm past practice that newly elected officials are sworn in at the conclusion of Town Meeting. If Town Meeting is delayed, officers can be sworn in within 20 days of election.*

C. Charter section 9: Broaden scope of authority to cooperate with other government entities

Delete the current text of Charter Section 9 and replace it with:

Section 9. Services provided to other government entities. The Select Board on behalf of the town may provide by written agreement for the performance by the Town Manager of such services for other government entities as may be appropriate to the duties of their office and for the reimbursement of any expense incurred.

*Rationale: The current text of Section 9 only applies to services provided to the Fire District and the proposed amendment would broaden the Town's ability to provide services to all governmental agencies.*

D. Charter section 10: Modification of dual office restrictions

Replace the first sentence of Section 10 with the new text:

A member of the Select Board or of the Finance Committee shall, during the term for which they were elected or appointed, be ineligible either by election or appointment to hold any other town office established by vote of Town Meeting except they may hold such office in their capacity as a member of the Select Board or the Finance Committee if the Town Meeting vote so provides. Such members may serve on advisory committees and as town representatives to intergovernmental bodies.

*Rationale: The current text in Section 10 generally prohibits members of the Finance Committee and Select Board from serving on "other town offices" and this has resulted in some ambiguities in the scope of what is meant by "other town offices".*

E. Charter Section 15(b): Modification of Town Manager Authority over Boards

Replace section 15(b) with the following text:

15(b) The Town Manager, in accordance with the provisions of this Act and except as otherwise expressly prohibited by the General Laws, (i) may reorganize, consolidate or abolish departments, commissions, boards or offices under their direction and supervision and not established by Town Meeting, in whole or in part; (ii) may establish such new departments, commissions, boards or offices as they deem necessary and,



(iii) in so doing, may transfer the duties and powers, and so far as possible in accordance with the vote of the town, the appropriations of one department, commission, board or office to another. The Town Manager may not make any such changes to boards and committees established by Town Meeting except upon approval of Town Meeting.

*Rationale: This change is designed to eliminate an ambiguity arising from the interplay of existing sections 6 and 15(b) relating to the Town' Manager's control of town boards, commissions and committees. The existing sections seem to imply, perhaps unintentionally, that the Town Manager can reorganize, consolidate or abolish such boards and committees established by Town Meeting. The proposed amendment establishes that the Town Manager only has this authority over boards and committees not established by Town Meeting.*

F. Charter Section 15(k): Clarification of Litigation Authority

Replace section 15(k) with the following text:

15 (k) The Select Board has the authority, except as otherwise provided by law, to prosecute, defend and compromise all litigation or claims to which the Town is a party and to employ special counsel to assist the Town Counsel whenever in the Board's judgment necessity therefore arises. The Select Board may delegate such authority, in whole or in part, to the Town Manager who shall keep the Select Board informed of the progress of all such litigation and claims.

*Rationale: The topic of authority over litigation is addressed differently in Charter Section 15(k) and Town bylaw 4.9. The Charter gives this authority to the Town Manager with the approval of the Select Board and the bylaw gives it to the Select Board. The proposed amendment to the Charter keeps this authority with the Select Board but allows it to be delegated to the Town Manager, who has the obligation to keep the Select Board informed of such matters.*

G. Charter Section 17: Elimination of Budget Due Date.

Replace the second sentence of section 17 of the Charter with the following text:

On or before such date as the town may by bylaw prescribe, the Town Manager shall prepare and submit to the Finance Committee a budget for the ensuing year and all supplementary information in such form and detail as the Finance Committee may deem necessary or the town may require by bylaw.

*Rationale: This proposal removes the specific date of December 15 for submission of the budget from the Charter, and allows it to be set in a bylaw, where a different deadline of February 15 has already been established. By having the deadline only in the bylaw, it can be more easily changed in the future.*

H. Charter – Sections 5, 7, 15(c), and 15(h): Deletion of out of date references

In the first sentence of section 5, delete the text “, and School Committee”.

In section 7 delete the entire section and replace with this warrant article B.

In the first sentence of Section 15(c), delete the text “a welfare agent”.

In section 15(h), delete the text “schools and”.

*Rationale: Sections 5, 7 and 15(h) of the Charter refer to the school committee, which was the school committee as it existed in 1956, before the establishment of the Mt. Greylock Regional School District and the subsequent consolidation of the Williamstown Elementary School, so these provisions should be deleted. Charter section 15(c) refers to a Welfare Agent, a position that no longer exists, so this reference can be deleted.*

I. New Charter Provision in Section 19: Ensuring Town Managers are recused from investigating allegations of their own misconduct

Add the following new sentence to be added at the end of section 19 of the Charter:

If any claim or allegation is made against the Town Manager, the Town Manager shall recuse themselves from the investigation and promptly refer the matter to the Select Board.

*Rationale: This is to confirm that the Town Managers may not be in charge of inquiries into their own conduct.*

**The Charter Review Committee unanimously recommends the adoption of this article.**

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

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**NEW CHARTER SECTION ON RECALL OF ELECTED OFFICIALS**

**Article 31.** To see if the Town will vote to authorize the Select Board to petition the legislature for the following new section in the Town Charter:

**SECTION 24. Recall of elected officials**

(a) Application -- Any holder of a town elected office in the town, including vocational school district representatives, with more than 6 months remaining in the term of office for which the officer was elected, may be recalled therefrom by the voters of the town in the manner provided in this section. No recall petition shall be filed against an officer within 6 months after taking office.

(b) Recall Petition -- A recall petition may be initiated by the filing of an application containing the name of the officer sought to be recalled and a statement of the grounds

for recall, provided that the application is signed by at least 200 voters. The town clerk shall thereupon deliver to those voters making the application, copies of petition blanks demanding such recall, copies of which printed forms the town clerk shall keep available. The blanks shall be issued by the town clerk, with signature and official seal attached thereto. The blanks shall be dated, shall be addressed to the Select Board, and shall contain the names of all the persons to whom the blanks are issued, the number of blanks so issued, the name of the person whose recall is sought, the office from which removal is sought and the grounds of recall as stated in the application. A copy of the petition shall be entered in a record book to be kept in the office of the town clerk. Said recall petition shall be returned and filed with the town clerk within 28 days after the filing of the application shall have been signed by at least 10 percent of the voters of the town registered as of the date of the petition is filed. Within two business days of receipt of the petition, the town clerk shall submit the petition to the registrars of voters and the registrars shall, within 5 days of their receipt of the petition, certify thereon the number of signatures which are names of voters.

(c) Recall Election -- If the petition shall be found and certified by the town clerk to be sufficient, the town clerk shall submit the same with such certificate to the Select Board within 5 days, and the Select Board shall give written notice of the receipt of the certificate to the officer sought to be recalled and shall, if the officer does not resign within 5 days thereafter, order an election to be held on a date fixed by the Select Board not less than 64 days and not more than 90 days after the date of the town clerk's certificate that a sufficient petition has been filed; provided, however, that if any other town election is to occur within 120 days after the date of the certificate, the Select Board shall postpone the holding of the recall election to the date of such other election. If the person subject to a recall vote vacates said office after a recall election has been ordered but before the election is held, the election shall not proceed.

(d) Office Holder - The incumbent shall continue to perform the duties of the office until the recall election. If said incumbent is not recalled, the incumbent shall continue in office for the remainder of the unexpired term subject to recall as provided herein. If recalled, the officer shall be deemed removed and the office vacant. The vacancy created thereby shall be filled under Chapter 41 of Massachusetts General Laws (or by other charter designated method). A person chosen to fill the vacancy caused by a recall shall hold office until the next regular town election. Should the person be a candidate in the subsequent election, that person will not be allowed to have "candidate for re-election" appear on the ballot at such election.

(e) Ballot Proposition - The form of the question to be voted upon shall be substantially as follows:

"Shall [here insert the name and title of the elective officer whose recall is sought] be recalled?" Yes No

If a majority of the votes cast upon the question of recall is in the affirmative, such elected officer shall be recalled.

(f) Repeat of Recall - In the case of an officer subjected to a recall election and not recalled thereby, no recall petition shall be filed against such officer until at least 270 days after the election at which the officer's recall was submitted to the voters of the town.

(g) Office Holder Recalled – Any person subject to a recall who vacates their office for any reason, including by recall or by resignation while recall proceedings were pending against such person, may run for re-election or election to other offices, but may not be appointed to any board, commission or committee within 2 years after such recall or such resignation.

*Rationale: Currently the Charter has no mechanism for the removal of an elected official from town office, no matter what conduct may be at issue. Other municipalities are now adopting such procedures. Although we may hope that no incident would arise to invoke these procedures, it seems prudent to have them available if needed. The procedures are designed to be difficult to invoke so as to avoid frivolous challenges or to address concerns of only a few citizens. There are deadlines to make sure the recall is not too soon after the election or before the next regularly scheduled one. It takes 200 signatures to get a petition, then 10% of registered voters to actually sign the petition. Currently, there are over 5,000 registered voters in Williamstown, so over 500 signatures would have to be obtained within the 28-day period. If the recall results in a vacancy, including by resignation, the vacancy will be filled by appointment until the next regular election. An official who has been recalled, or who has resigned during recall proceedings, may run for re-election, but may not be appointed to any board, commission or committee for two years.*

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

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### **NEW CHARTER SECTION ON ENFORCEMENT**

**Article 32.** To see if the Town will vote to authorize the Select Board to petition the legislature for the following new section in the Town Charter:

#### Section 25. Compliance with the Charter

(a) The Town Manager, as the administrative officer of the Town, shall be responsible for monitoring whether Town Departments, Boards, Officers and Employees are complying with the Charter. Whenever the Town Manager determines that any Town Department, Board, Officer or Employee may be failing to comply with the Charter, it is the responsibility of the Town Manager to meet with them to discuss the matter.

(b) Whenever the Town Manager determines that any Town Board may be continuing to not be in compliance with the Charter after that potential failure has been discussed with them, the Town Manager shall refer the matter to the Select Board to determine the appropriate response.

(c) The Select Board shall be responsible to ensure that the Town Manager complies with the Charter.

(d) Any registered voter of the Town may petition the Town Manager to ensure faithful compliance with the Charter by any Town Department, Officer or Employee, except with respect to matters related to employment, or to petition the Select Board to ensure faithful compliance with the Charter by the Town Manager or a Town Board. The petition shall be filed with the Town Clerk and shall state the person or government body that may not be in compliance, the section of the Charter involved and the time of the potential failure to comply. The Town Clerk shall deliver a copy of the petition to such person or government body, the Town Manager and the Select Board within three business days of receipt. Such person or government body shall file with the Town Clerk a written response within thirty days of their receipt of the petition, with copies to the Town Manager, Select Board and the petitioners.

(e) Following receipt of a petition by a registered voter, the written response from the subject of the petition, and the passage of 30 days, the Town Manager and the Select Board shall take such action with respect to the petition as is deemed appropriate and authorized by law.

(f) The foregoing sections shall not limit the right to seek enforcement of this Charter as otherwise provided by law.

*Rationale: The Charter has no provisions for ensuring compliance with its provision, and any formal legal rights to claim violations of the Charter appear to be cumbersome. This provision takes an approach to enforcement based on assigning responsibilities for ensuring compliance, and having discussions to make sure the requirements are understood and adhered to. The proposal allows any citizen to file a claim of noncompliance and to have the person or board against whom the claim is made to file a response. The petition and the response will be on file with the Town Clerk. Other legal rights to enforce the Charter are not affected by the process.*

**The Charter Review Committee unanimously recommends the adoption of this article.**

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

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#### **BYLAW MODIFICATIONS AS TO WARRANT DEADLINE AND BUDGET CYCLE**

**Article 33.** To see if the Town will vote to modify Town bylaws as follows:

A. Bylaw modification of deadline to submit warrant articles

Replace text of bylaw § 4-3 Insertion of articles in warrant with the following text:

Any article to be inserted in the warrant for the Annual Town Meeting must be submitted to the Select Board on or before the 50th day preceding said meeting. All citizen petitions must be signed by the required number of petitioners who must be voters of the Town, and all such petitions shall be placed in the warrant as presented.

*Rationale: Current bylaw 4-3 requires 45 days' advance filing of warrant articles, which in some years means the Select Board has only one meeting in which to consider them for the warrant, so this proposal adds five more days to the notice period. Also, current 4-3 is being rewritten to clarify that the filing deadline applies not only to citizen petitions, but also to proposed articles from any source, including town boards and committees.*

**B. Bylaw section 14-1 modification of budget preparation process**

Insert the following as a new first sentence in bylaw 14-1:

On or before the 15<sup>th</sup> day of November in each year, the Select Board shall meet and discuss with the Town Manager priorities to be included in the budget for the ensuing fiscal year.

*Rationale: This amendment establishes a new obligation for the Select Board to submit its priorities early in the budget cycle so they can be considered by the town manager in preparation of the budget. Currently, there is no formal step and the Select Board's participation in the budget process has varied depending on the approach taken by the members at the time. This gives the Select Board, as the chief elected representatives of the town residents, a formal role in the budget process. The next step in the budget cycle would remain as in the current bylaw, with the Town Manager submitting a budget to the Finance Committee by February 15 of each year. The remaining text shall remain as written.*

**The Charter Review Committee unanimously recommends the adoption of this article.**

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

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**NEW BYLAW PROVISION ON PERIODIC REVIEW OF THE CHARTER**

**Article 34.** To see if the Town will vote to amend town bylaws by adding a new section 4-13 as follows:

The Select Board shall, by July 31 of every year which ends in four after 2024, appoint a committee to review the town charter. Said committee shall submit a report, with recommendations, to the Select Board concerning any proposed amendments or revisions to the town charter which it believes to be necessary or desirable. The Select Board may appoint a committee to review the town charter at other times if it deems it appropriate.

*Rationale: The Town Charter had not been comprehensively reviewed since its adoption in 1956. This provision establishes a period for regular review every 10 years, but allows reviews at any time if the need arises.*

**The Charter Review Committee unanimously recommends the adoption of this article.**

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

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**ADOPTION OF LOW INCOME EXEMPTION TO COMMUNITY PRESERVATION ACT TAXES**

**Article 35.** To see if the Town will vote to amend its acceptance of the Community Preservation Act, sections 3 to 7, inclusive, of chapter 44B of the General Laws, to accept the exemption set forth in section 3(e)(1) of said chapter 44B, creating an exemption from the CPA surtax for certain low income residents, or to take any other action relative thereto.

*Rationale: The Community Preservation Act (CPA) allows towns to exempt from the CPA surcharge property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the city or town.*

*CPA income guidelines are derived from the United States Department of Housing and Urban Development (HUD) areawide median income (AMI) figures. They are updated annually.*

*Low income means persons and families whose annual income is less than 80 percent of the AMI. Moderate income for seniors means persons age 60 or over whose annual income is less than 100 percent of the AMI.*

*Williamstown Area AMI for families of 1-4 are as follows:*

*80% AMI: single-\$56,840; two-\$64,960; three-\$73,080; four-\$81,200  
100% AMI: single-\$71,050; two-\$81,200; three-\$91,350; four-\$101,500*

*Acceptance requires approval of both Town Meeting and then the electorate at the next regular municipal or state election. G.L. c. 44B, § 3. If Town Meeting passes this article the question will appear on the November election ballot.*

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

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**HOME RULE PETITION TO EXPAND FINANCIAL ELIGIBILITY FOR SENIOR PROPERTY TAX EXEMPTION**

**Article 36.** To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation as follows:

The Town of Williamstown, by vote of Town Meeting, may increase the amounts of the gross receipts and whole estate, real and personal, limitations as set forth in clauses Forty-first, Forty-first B and Forty-first C of section 5 of chapter 59 of the General Laws, in excess of the limitations established by statute, including but not in excess of the so-called “circuit breaker” state income tax credit limit determined by the commissioner of revenue for the purposes of subsection (k) of section 6 of chapter 62 of the General Laws for married persons filing jointly, regardless of the taxpayer's marital status; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court which are within scope of the general public objectives of the petition, and to authorize the Select Board to approve such amendments, or take any action relative thereto.

*Rationale: The legislature adopted certain dollar limits of gross receipts and whole estate for the senior property tax exemption effective July 1, 2002. Acts of 2002, c. 184, section 5. The legislature has not updated these values since that time. Municipalities are allowed to adopt an inflation factor based on the Consumer Price Index, but that adjustment is only prospective from when the municipality adopts it. Williamstown adopted the CPI adjustment factor in 2023, but it only applies to values that were set over two decades ago and so are very out of date and provide little relief. If the legislature approves this petition, town meeting can establish higher financial eligibility factors. This will allow more relevant and current values to be used as a basis of property tax relief for eligible residents. The difference is illustrated in the table below.*

	<i>Income single limit</i>	<i>Income limit married</i>	<i>Estate limit single</i>	<i>Estate limit marrie d</i>
<i>Current 41D limit, adopted by Williamstown</i>	\$20,000	\$30,000	\$40,000	\$55,000



<p><i>41D Limit that would have been applicable with inflation from 2002 passage of 41D (Acts of 2002, c. 184, sec. 51) to October 2023, per Bureau of Labor Statistics CPI Calculator</i></p>	<p>\$34,204</p>	<p>\$51,307</p>	<p>\$68,409</p>	<p>\$94,062</p>
<p><i>Current Circuit Breaker Income Limit (<u>maximum</u> allowed by this petition)</i></p>	<p>\$69,000</p>	<p>\$103,000</p>		

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

**HOME RULE PETITION TO EXPAND AGE ELIGIBILITY FOR SENIOR PROPERTY TAX EXEMPTION**

**Article 37.** To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation as follows:

The Town of Williamstown, by vote of Town Meeting, may reduce the age for eligibility for the senior property tax exemption in Clause Forty-first C of section 5 of chapter 59 of the General Laws below the permitted age of 65 or older; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court which are within scope of the general public objectives of the petition, and to authorize the Select Board to approve such amendments, or take any action relative thereto.

*Rationale: In 2023, Town Meeting voted to lower the age of eligibility from 70 to 65, as permitted by G.L. c.59, §5, Clause 41C, the minimum allowed by the statute. The purpose of this petition is to allow Town Meeting to set the age of eligibility below age 65. 65 is no longer a meaningful age in this context. Regardless of age, homeowners may have low incomes and assets before or after 65. They may be working before or after 65. If the goal is to give some relief to those homeowners who need it, there is no reason to use 65, or any other age, as a dividing line.*

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

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**HOME RULE PETITION TO ESTABLISH A MEANS TESTED SENIOR PROPERTY TAX EXEMPTION**

**Article 38.** To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation to allow the Town to establish a means tested senior property tax exemption substantially as follows:

SECTION 1. There shall be an exemption from the property tax for each qualifying parcel of real property classified as class one, residential in the town of Williamstown in an amount to be set annually by the select board as provided in section 3. The exemption shall be applied only to the domicile of the taxpayer; provided, however, that for the purposes of this act, "parcel" shall mean a unit of real property as defined by the board of assessors under the deed for the property and shall include a condominium unit. The exemption provided for in this act shall be in addition to any and all other exemptions allowed by the General Laws.

SECTION 2. The board of assessors in the town of Williamstown may deny an application if they find the applicant has excessive assets that place the applicant outside of the intended recipients of the exemption under this act. Real property shall qualify for the exemption in section 1 if:

(i) the qualifying real property is owned and occupied by a person whose prior year's income would make the person eligible for the circuit breaker income tax credit under subsection (k) of section 6 of chapter 62 of the General Laws;

(ii) the qualifying real property is owned: (A) by a single applicant not less than 65 years of age at the close of the previous year; or (B) jointly by persons either of whom is not less than 65 years of age at the close of the previous year and the other joint applicant is not less than 60 years of age;

(iii) The qualifying real property is owned and occupied by the applicant or joint applicant as their domicile;

(iv) The applicant or at least 1 of the joint applicants has been domiciled and owned a home in the town for not less than 5 consecutive years before filing an application for the exemption;

(v) The maximum assessed value of the qualifying property is no greater than the town's median single-family assessed value of the prior fiscal year plus 10 percent; and

(vi) The board of assessors has approved the application.

SECTION 3. The select board of the town of Williamstown shall annually set the exemption amount under section 1 up to 150 per cent of the amount of the circuit breaker income tax credit under subsection (k) of section 6 of chapter 62 of the General Laws for which the applicant qualified in the previous year. The total amount

exempted by this act shall be allocated proportionally within the tax levy on all residential taxpayers.

SECTION 4. The exemption under section 1 shall be in addition to any other exemption allowable under the General Laws, except that there shall be a dollar cap on the total exemptions granted pursuant to this act of up to 1.0 per cent of the fiscal year's total residential property tax levy for the town of Williamstown, including the levy for the regional high school if not included in the town's tax levy at some subsequent date, with the total exemption amount granted pursuant to this act allocated proportionally within the tax levy on all residential taxpayers. The total cap on the exemptions granted pursuant to this act shall be set annually by the select board within a range of up to 1 per cent, inclusive, of the residential property tax levy for the town. If benefits to the applicants may be limited because the cap on exemptions established annually by the select board would otherwise be exceeded, the limitation on benefits shall be allocated pro rata among the qualifying applicants.

SECTION 5. A person who seeks to qualify for the exemption under section 1 shall, before the deadline established by the board of assessors of the town of Williamstown, file an application, on a form to be adopted by the board, with supporting documentation relative to the applicant's income and assets as described in the application. The application shall be filed each year for which the applicant seeks the exemption.

SECTION 6. No exemption shall be granted under this act until the department of revenue certifies a residential tax rate for the applicable tax year where the total exemption amount is raised by a burden shift within the residential tax levy.

SECTION 7. This act may be revoked by an affirmative vote of a majority of the voters of the town at any regular or special town election at which the question of revocation is placed on the ballot. Revocation shall take effect 30 days after an affirmative vote of the town to revoke those sections unless the vote designates a different date.

The General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court which are within scope of the general public objectives of the petition, and to authorize the Select Board to approve such amendments, or take any action relative thereto.

*Rationale: The goal of this article is to establish a program for property tax relief that is focused on granting an exemption to those who most need it based on income and assets. Other towns have been granted home rule petitions for such programs by the legislature, and this article is modeled on those other successful petitions. This program builds off of a state income tax program that gives an income tax credit to residents over 65 who meet eligibility requirements based on income and home value, both of which are adjusted annually by the state. The income limits for tax year 2023 were: \$69,000 for a single individual who is not the head of a household, \$86,000 for a head of household, and \$103,000 for married couples filing a joint return. Residents*

who qualify for the state income tax credit can apply for this new property tax exemption. This new exemption imposes additional limits on assets by tying house value to Williamstown median values (rather than the much higher state average value for 2023 of \$1,025,000 used for the income tax credit) and by allowing the assessors to deny an application if other assets are excessive. Applicants also must have lived in town for at least 5 years. The extent of a resident's exemption would be set annually by the Select Board, in amounts up to 150% of the income tax credit. The total cost of the program would be capped at up to 1% of the town's residential tax levy, which was just over \$18.3M in fiscal 2024.

Voters are advised that the legislature currently has before it legislation filed by the Governor that would establish a means-tested property tax exemption that could be adopted by Town Meeting without further legislative approval. If such a local option is available by the time of Town Meeting, it may be considered as an alternative to, or substitute for, the above petition, so we are providing the text below.

The current version of the Governor's bill, in section 54 of S. 2571, provides as follows:

**SECTION 54.** Said chapter 59, as so appearing, is hereby further amended by inserting after section 50 the following section:-

**Section 5P.** (a) In a city or town that accepts this section, there shall be an exemption for income and age qualified domiciliary homeowners as provided herein. For the purposes of this section, "parcel" shall mean a unit of real property as defined by the board of assessors under the deed for the property and shall include condominium units. The exemption provided for herein shall be in addition to any other exemptions allowed by the General Laws.

(b) With respect to each qualifying parcel of real property classified as class one, residential in the municipality, there shall be an exemption from the property tax in an amount to be set annually by the chief executive officer as provided in paragraph (d). The exemption shall be applied to the domicile of the taxpayer.

(c) A parcel of real property shall qualify for the exemption under this section if each of the following criteria is met:

(i) The qualifying real property is owned and occupied by a person whose income from the prior year would make the person eligible for the income tax credit allowed under subsection (k) of section 6 of chapter 62;

(ii) The qualifying real property is owned by a single applicant age 65 or older as of July 1 of the applicable fiscal year or jointly by persons either of whom is age 65 or above as of July 1 of the applicable fiscal year and the joint applicant is 60 years of age or older;

(iii) The qualifying real property is owned and occupied by the applicant or joint applicants as their domicile;

*(iv) The applicant or at least 1 of the joint applicants has been domiciled and owned a home in the municipality for at least 10 consecutive years before filing an application for the exemption;*

*(v) The assessed value of the domicile is not greater than the prior year’s maximum assessed value for qualification for the income tax credit allowed under subsection (k) of section 6 of chapter 62, as adjusted annually by the commissioner of revenue;*

*(vi) The total assets of the applicant do not exceed any asset limitations established by the chief executive officer under paragraph (e) to determine eligibility for this exemption; and*

*(vi) The board of assessors has approved the application.*

*(d) The chief executive officer shall annually determine the exemption amount, which shall not be more than two hundred per cent of the maximum amount of the income tax credit allowed under subsection (k) of section 6 of chapter 62 for which the applicant qualified in the previous year.*

*(e) The chief executive officer may establish limits on the total assets that may be owned by an applicant for purposes of eligibility.*

*(f) A person who seeks to qualify for the exemption shall, on or before April 1 of the applicable tax year, or within 3 months after the bill or notice of assessment was sent, whichever is later, file an application, on a form to be adopted by the board of assessors, containing supporting documentation to demonstrate the applicant’s income and assets as described in the application. The application shall be filed each year for which the applicant seeks the exemption.*

*(g) The total amount exempted by this section shall be allocated proportionally within the residential tax levy. No exemption shall be granted under this section until the commissioner of revenue certifies a residential tax rate for the applicable tax year.*

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

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**COTTAGE HOUSING BYLAW**

**Article 39.** To see if the Town will vote to authorize revision of its bylaws to allow cottage housing developments.

Amend Section **§70-3.3A (1) Use Regulation Table** by adding the following row:

		<b>RR2</b>						
	<b>RR1</b>	<b>RR3</b>	<b>GR</b>	<b>LB</b>	<b>SG</b>	<b>VB</b>	<b>PB</b>	<b>LI</b>

<i>Cottage Development §70-7.1.L)</i>	<i>Housing (See</i>	No	No	Yes	No	No	No	No	No
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Amend **§70-7.1 Residential development** by adding a new **§70-7.1.L** as follows;

**§70-7.1.L Cottage Housing Developments.**

A parcel may be developed as a Cottage Housing Development (CHD) comprising no fewer than 4 and no more than 12 cottages.

**(1) Definitions**

*Cottage:* a single- or two-family structure satisfying the dimensional and design requirements in (2) and (4) below.

*Common open space:* An area improved for passive recreational use or gardening.

*Common area:* An area consisting of common open space, which may include a shared-use structure.

*Footprint:* The gross floor area of a structure’s conditioned ground-level story.

**(2) Dimensional Requirements**

(a) The minimum lot area for a CHD shall be 14,000 square feet.

(b) Impervious surfaces may not exceed 40 percent of the CHD’s total area. If a CHD is located within an overlay district with a more restrictive impervious surface requirement, the overlay district’s requirement shall apply.

(c) Yard Requirements

[1] Structures within the CHD lot shall meet the Dimensional Standards of the Dimensional Schedule 70-4.3 with respect to neighboring properties.

[2] All cottages shall have a five foot front setback from neighboring structures within the CHD.

[3] All cottages shall be a minimum of 8 feet from other cottages.

(d) The maximum density shall be 1 cottage per 3,500 square feet of lot area.

(e) Dwelling size

[1] The maximum footprint for a cottage shall not exceed 900 square feet, excluding the porch.

[2] The total floor area of each cottage shall not exceed either one and three-quarters times the area of the footprint or 1,575 square feet, whichever is less.

**(3) Common area**

(a) A common area of at least 400 square feet per cottage is required.

(b) The common area may include a shared-use structure with a maximum footprint of 25 percent of the total common area or 800 square feet, whichever is less. The remainder of the common area must be contiguous open space, with no edge less than 20 feet in length. There may be a maximum of three common areas within a CHD providing that each one complies with all the requirements for a common area.

(c) At least 75 percent of the cottages shall abut common open space. The common area shall have cottages abutting at least two sides. Every common area must have at least three abutting cottages. All of the cottages shall be within 60 feet walking distance of a common open space.

#### **(4) Design requirements**

(a) All structures in CHDs shall be limited to 18 feet in height.

(b) The ridge of pitched roofs may extend up to 25 feet. All parts of the roof above 18 feet shall be pitched at no less than 6/12 and no greater than 12/12.

(c) The main entrance of each cottage shall face the common area and have a covered porch of at least 64 square feet and no side less than 7 feet in length.

(d) Each unit shall have access to enclosed storage space of at least 40 and no more than 100 square feet, which may be in an exterior attached or unconditioned detached storage space, or in a shared-use structure in the common area.

(e) Exterior lighting shall be downlighting type, and other than porch lights, shall be limited to bollards with a height no greater than three feet above grade.

#### **(5) Existing structure**

An existing structure, which may be nonconforming with respect to the standards of this section, shall be permitted to remain on the parcel as follows:

(a) Existing One- or Two-Family Dwelling: An existing one- or two-family dwelling may be incorporated in the CHD but the extent of nonconformity may not increase.

(b) Other Existing Structures: Any other type of existing structure that is not a one- or two-family dwelling and is not a commercial building may remain on site and be utilized for common area or storage requirements.

#### **(6) Parking**

(a) Parking shall be on the same property as the CHD.

(b) The CHD shall provide one assigned parking space per dwelling unit, plus an additional parking space for every three dwelling units.

(c) Parking may be in or under a structure or outside a structure, provided that it is adequately screened from direct street view, by one or more street facades, garage doors, fencing, or landscaping, meeting the requirements of §70-5.4B(3). Parking may not be located in the required front yard.

(d) Common parking areas shall have no more than five spaces in a row without a break equal to the size of one parking space.

(e) One parking space per unit in alleys between cottages is permitted.

**(7) Short-term rentals**

(a) For the purposes of Cottage Housing Developments, “short-term rentals” shall be defined as the rental of a whole or a portion of a Cottage, in exchange for payment, as residential accommodations for not more than thirty consecutive days.

(b) No Cottage in a Cottage Housing Development may be used as a short-term rental for more than 150 cumulative days in a calendar year. This limitation shall not apply to individual bedrooms offered for short-term rental when the owner is residing within the cottage at the time of the rental.

(c) In the event there is a conflict between a provision of this subsection (“Short-Term Rentals”) and any other provision in the Code of the Town of Williamstown regulating short term rentals, the provision outside of this subsection shall control.

Amend Section **§70-9 Definitions** as follows:

**COTTAGE HOUSING DEVELOPMENT:**

A collection of densely spaced small single-family or duplex structures, arranged around a common area or areas, developed under a single land development plan.

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

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

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**TRANSFER CONTROL OF SPRUCES TO THE CONSERVATION COMMISSION**

**Article 40:** To see if the Town of Williamstown will vote to transfer to the care, custody, management, and control of the Conservation Commission for all purposes included in G.L. Ch.40 Section 8C as it now reads or may hereafter be amended, or take any other action in relation thereto, the following parcel of land: The property located at 60 Main St. (f.k.a ‘The Spruces, n.k.a. ‘Spruces Park’) consisting of approximately 114.4 acres conveyed by Morgan MHP Mass, LLC to the Town of Williamstown by deed recorded at the Northern Berkshire Registry of Deeds: Book 01594, Page 635.

*Uses of the Spruces Park property are predominantly governed by FEMA. However, there is currently no official local managing authority for this Town owned property, with documentation merely stating ‘The Town’ as the managing authority. The area of the Spruces Park property is almost entirely jurisdictional to the Conservation Commission, and includes lands under water, riverfront areas and banks, bordering vegetated wetlands, lands subject to flooding, estimated wildlife habitats, and other wildlife estimates. Approval of this article would align the management of Spruces Park with other Town owned properties (e.g. Margaret Lindley Park, Hunter Property, Stone Hill Property, etc.). These other properties are already managed by the Conservation Commission for their ecological, cultural, and recreational value. It is in the interest of the Town to transfer this property to the care, custody, management and control of the Conservation Commission in order to establish a clear management authority to*



*ensure the protection of its natural resources as well as its agricultural and recreational uses.*

**The Select Board does not recommend the adoption of this article by a vote of 0-5.**

**At its April 11th meeting the Conservation Commission unanimously voted to have Town Meeting refer this article to committee. If referred, the Commission calls on the Select Board to establish a task force to bring together various stakeholders related to the Spruces to propose future management for the park.**

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**CITIZENS PETITION - AMEND BYLAW 4.12**

**Article 41.** We the undersigned citizens of Williamstown submit this petition to respectfully request the amendment of bylaw 4.12a to include the display of the Progress Pride flag (designed by Daniel Quasar) as an expression of the Town's official sentiments.

**WHEREAS: Inclusion and Representation:** The addition of a Progress Pride flag to the list of flags permitted for display by the Town is essential to reflect the diversity and inclusivity of our community. It serves as a meaningful gesture of respect, support, and recognition of the LGBTQ+ individuals and allies with the Town of Williamstown.

**WHEREAS: Symbol of Equality and Unity:** A Progress Pride flag is globally recognized as a symbol of equality, acceptance, and unity. By officially allowing the display of a Progress Pride flag alongside other recognized flags, the Town of Williamstown can showcase its commitment to fostering an inclusive and supportive environment for all residents, regardless of sexual orientation or gender identity.

**WHEREAS: Importance of Visibility:** Public visibility of the Progress Pride flag serves to create a sense of belonging, safety and affirmation for LGBTQ+ individuals and their families. It sends a powerful message of solidarity and support, contributing to a more welcoming and cohesive community.

**WHEREAS:** As concerned citizens, we believe that the inclusion of the Progress Pride flag in the official display of flags aligns with the values of diversity, equality and inclusivity that we hold dear in our community.

**THEREFORE BE IT RESOLVED:**

Bylaw 4.12a shall be amended to say, "and fourth, a Progress Pride flag."

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

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

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**CITIZENS PETITION - CONSERVATION OF OPEN SPACE LAND USING  
COMMUNITY PRESERVATION ACT FUNDS**

**Article 42.** At the 2004 town meeting, Williamstown voted to purchase approximately 1.2 acres of Community Preservation - Conservation of Open Space land using Community Preservation Act funds. The land was never put under permanent restriction as required by the Community Preservation Act. This petition directs the Williamstown Select Board to place the property under permanent restriction as required by the act.

**Williamstown Select Board**

**Date:** April 8, 2024

Jeffrey Johnson, chair  
Jane Patton, vice chair  
Andrew Hogeland

Randal Fippinger  
Stephanie Boyd

*Approved by roll call vote at noticed Hybrid meeting of Select Board, April 8, 2024.*

# Notes

