

TOWN OF ADAMS SELECTMEN'S MEETING AGENDA

WEDNESDAY, October 17, 2012 – 7:00 PM

TOWN HALL, MEETING ROOM, 1st FLOOR, ADAMS, MA 01220

1. **CALL TO ORDER – 7:00 PM**
2. **READING OF MINUTES – Approval October 3, 2012**
3. **CITIZEN'S CONFERENCE**
4. **PUBLIC HEARING**
5. **OLD BUSINESS**
 - Adams Agricultural Fair request
6. **NEW BUSINESS**
 - Department of Conservation & Recreation request
7. **SUBCOMMITTEE/LIAISON REPORTS**
8. **A. ADMINISTRATOR'S REPORT**
B. PUBLIC WORKS DEPARTMENT
C. POLICE DEPARTMENT
 - Approval of Nomination of Inspector of Animals**D. COMMUNITY DEVELOPMENT**
 - Approval of Sign Request**E. OTHER DEPARTMENTS**
 - Approval of 2012 State Election Warrant**F. TOWN COUNSELOR'S REPORT**
9. **ANNOUNCEMENTS**
 - Town is in search of a Christmas Tree for the Town Common

CLERK

TOWN CLERK
ADAMS MASS.

14 MAY 16 4:11 PM '12

RECEIVED-PARTITION

10. **APPROVALS**

- Holiday Music – Dr. Martin Bush, 9:00 AM – 8:30 PM each day from Thanksgiving thru New Year's Day.
- Events Planning Committee – Free Parking during Holly Days Friday, November 23rd – December 31st.
- Facilities Request – Town Common, Annual Tree Lighting Ceremony, Sunday, November 25, 2012 1:00 – 6:00 PM & Carriage Rides 2:00 – 5:00 PM
- Annual Halloween Parade – Sunday, October 28, 2012 at 1:00 PM

11. **OTHER BUSINESS**

1. Agenda items

12. **GOOD OF THE ORDER**

13. **EXECUTIVE SESSION**

- To consider the purchase, exchange, lease, or value of real property, if the Chair declares that an open session may have a detrimental effect on the negotiating position of the public body.

14. **ADJOURNMENT**

October 17, 2012

On the above date the Board of Selectmen held a meeting at 7:00 PM at Town Hall. Chairman Harrington presided; present Michael Ouellette, Scott Nichols, John Duval, Jonathan Butler, Town Administrator and Edmund R. St. John IV.

Chairman Harrington called the meeting to order at 7:03 PM

RECEIVED-POSTER
14 MAY 16 4:11 PM
TOWN CLERK
ADAMS MASS.
CLERK _____

CITIZEN'S CONFERENCE

Anthony Donovan, representing the American Legion announced that the annual American Legion Poppy fundraising campaign is scheduled from October 17th thru 21st. Jeff Lefebvre stated that the recent fundraiser for the Football banquet raised \$1517.00; he wanted to thank everyone who supported this event. He will also be collecting clothing for Soldier On again this year, residents can drop off items at Town Hall or the Registry of Deeds or if people are unable to drop them off he will pick them up at their house. Jeff also commented on the recent MPO meeting in which the Town loss \$650,000, he found this very dishearten and offered to call anyone the Town needed him to call.

READING OF MINUTES

A motion made by Member Duval, seconded by Member Nichols to approve and waive the reading of the October 3, 2012 meeting – 3 Yeas, 1 Abstained (MO) motion passed.

OLD BUSINESS

A motion made by Member Ouellette, seconded by Member Duval to approve the request of the Adams Agricultural Fair to rent storage space during the winter months at Bowe Field – 4 Nays motion failed

NEW BUSINESS

A motion made by Member Nichols, seconded by Member Ouellette to approve the request of the Department of Conservation & Recreation to waive the 120 day notice period as to a parcel of land approximately 10 ± acres in the Town of Adams – Unanimous – motion passed.

ADMINISTRATORS REPORT

A copy of this report is attached to these minutes

POLICE DEPARTMENT

A motion made by Member Nichols, seconded by Member Ouellette to approve the Nomination of Inspector of Animals – Unanimous – motion passed

COMMUNITY DEVELOPMENT

A motion made by Member Nichols, seconded by Member Ouellette to approve the request for a Sign on a Public Way for 53 Park Street – Unanimous – motion passed

OTHER DEPARTMENTS

A motion made by Member Nichols, seconded by Member Ouellette to approve the 2012 State Election Warrant – Unanimous – motion passed.

TOWN COUNSELOR'S REPORT

A copy of this report is attached to these minutes.

ANNOUNCEMENTS

Chairman Harrington announced that the Town was in need of a Christmas tree for the Town Common and Summer Street.

APPROVALS

- Holiday Music – Dr. Martin Bush, 9:00 AM – 8:30 PM each day from Thanksgiving thru New Year's Day.
- Events Planning Committee – Free Parking during Holly Days Friday, November 23rd – December 31st.
- Facilities Request – Town Common, Annual Tree Lighting Ceremony, Sunday, November 25, 2012 1:00 – 6:00 PM & Carriage Rides 2:00 – 5:00 PM
- Annual Halloween Parade – Sunday, October 28, 2012 at 1:00 PM

A motion made by Member Nichols, seconded by Member Ouellette to approve all four approvals – Unanimous – motion passed

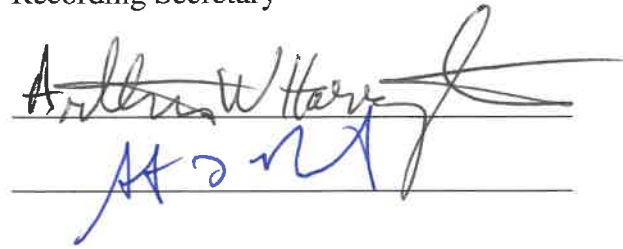
GOOD OF THE ORDER

Member Duval commented on Ramblefest, he thanked everyone who supported the event financial and volunteered their time. He also requested an action item list, items that the Board has identified so they are not forgotten.

EXECUTIVE SESSION

With no further business to transact the Board entered into Executive Session at 8:25 PM to consider the purchase, exchange, lease, or value of real property, if the Chair declares that an open session may have a detrimental effect on the negotiating position of the public body. – Roll Call vote – 4 Yeas

Respectfully Submitted
Melissa Schaffrick
Recording Secretary


Andrew W. Hargis


Thibault Bullock



Town of Adams • Massachusetts 01220-2087

JONATHAN W. BUTLER
TOWN ADMINISTRATOR

TOWN HALL
8 Park Street
Tel. (413) 743-8300
Fax (413) 743-8316
e-mail: jbutler@town.adams.ma.us

Memorandum

To: Board of Selectmen

From: Jonathan Butler, Town Administrator

Subject: Town Administrator's Report

Date: October 17, 2012

RECEIVED-POSTED
13 FEB 27 AM 8:13
TOWN CLERK
ADAMS MASS.
CLERK

1. Adams Memorial Middle School RFP – The Town has included the changes requested by the Board of Selectmen during last week's public review of the RFP and are finalizing a few details within the actual document. We are hoping to have the RFP advertised and issued by next week, if not earlier.
2. We attended an MPO meeting in Pittsfield last night in which the Town's roundabout project was being recommended for elimination from the county Transportation Improvement Plan, in lieu of recent federal requirements that all earmarks from the 2004-2006 timeframe be closed out by January 1st or repurposed to other projects. The Department of Transportation never informed the Town of Adams, or the MPO about these recommended changes until just this past week. Our project was taken off the TIP, but we are working with DOT and our elected officials to find an alternative way of funding this very important traffic project.
3. The Town was forced to abate \$38,812.29 to Verizon New England due to a recent decision by the Commissioner of the ATB. Verizon had challenged the values assessed to their wireless lines running through Massachusetts towns. All communities throughout the Commonwealth were subject to this, with each community having to abate whatever the difference was in the new ruling. Most of our neighboring communities of similar size had similar impacts.
4. The Town is continuing to work with the Board of Health to resolve the recent findings of E-coli in the upper Tophet Brook and Reid Brook in Adams. The Town issued a PSA on Friday informing the public to refrain from recreational exposure to those waterways in lieu of preliminary testing down by MCLA that found E-coli counts to be running higher than the recommended concentration. The Department of Public Health and the Department of Environmental Protection are both working with our Board of Health to complete further testing that will help confirm this potential health risk, and identify specific sources. We will be keeping the public abreast of this situation as any new information is confirmed.



Edmund R. St. John III

Admitted in MA and CA
Pittsfield office: 85 East Street
Pittsfield, MA 01201

Attorney at Law

2 Center Street
P.O. Box 228
Adams, MA 01220
Tel: 413-743-0990
Fax: 413-743-3702

Email: estjohn1@albany.twcbc.com
Website: www.stjohnlawoffice.com

October 17, 2012

Town Counsel Report

At the request of the Zoning Enforcement Officer, our office drafted a complaint for injunctive relief and a motion for temporary restraining order against a property owner that we feel is violating the Zoning Bylaw. A hearing in the Housing Court will be scheduled in the near future.

At the request of the Town Administrator, our office reviewed the Jones Block Development Agreement to assist in providing recommendations regarding a course of action. A written response was provided.

Our office spoke with counsel for the Adams Fire District and met with town staff regarding issues involving the Town and the Fire District.

We reviewed the Special Town Meeting Warrant and suggested that certain language be incorporated in the Warrant.

RECEIVED-POSTED
13 FEB 27 AM 8:48
TOWN CLERK
ADAMS MASS.
CLERK



Town of Adams • Massachusetts 01220-2039

OFFICE OF
BOARD OF ASSESSORS

TOWN HALL
8 PARK STREET
TEL. (413) 743-8350

October 17, 2012

Board of Selectmen
Arthur W. Harrington, Chairman
Town of Adams
Town Hall

Honorable Members of the Board:

Please be advised that, in accordance with Chapter 369 of the Acts of 1982, your board must conduct a public hearing before a determination is made on whether the town will have a classified tax rate structure. This hearing is required before we can get a tax rate approved by the Commissioner of Revenue.

The law also removed the assessors from the decision making process. However, we are available to furnish you with analytical data to help you determine if there should be a single tax rate or different tax rates under the so-called Tax Classification Law, Chapter 797 of the Acts of 1979. We recommend that a public hearing be held on October 31, 2012 to satisfy the intent of the law.

In addition, be advised that one of the board members will attend your public hearing to answer any questions that you may have.

Respectfully,

Donna M. MacDonald
Assessor

DMM/jpk

cc: Atty. Edmund R. St. John, III

RECEIVED-POSTED
13 FEB 27 AM 8:48
TOWN CLERK
ADAMS MASS.
CLERK

TOWN OF ADAMS
CLASSIFICATION HEARING
October 31, 2012

CLASSIFICATION DATA OPTIONS

LAST YEAR'S TAX RATE - SHIFT 115%

\$17.26

\$20.47

SINGLE TAX RATE

FY 2013 \$18.84

Difference

Residential Commercial

FY 2013 RES - \$18.25 CIP - \$21.67

\$0.99

\$1.20

115% SHIFT FACTOR

FY 2013 RES - \$18.05 CIP - \$22.61

\$0.79

\$2.14

120% SHIFT FACTOR

FY 2013 RES - \$17.86 CIP - \$23.55

\$0.60

\$3.08

125% SHIFT FACTOR

FY 2013 RES - \$17.66 CIP - \$24.49

\$0.40

\$4.02

130% SHIFT FACTOR

FY 2013 RES - \$17.27 CIP - \$26.38

\$0.01

\$5.91

140% SHIFT FACTOR

What If ... Scenario Worksheet

Note: This table should be used for planning purposes only. Actual calculations may differ slightly due to rounding. For actual calculations, complete Recap.

CLASS	VALUE	PERCENTAGE
Residential	385154436	82.7296%
Open Space	0	0.0000%
Commercial	32735524	7.0315%
Industrial	26102505	5.6067%
Personal Prop	21565982	4.6323%
Total	465,558,447	100.0000%

CLASSIFICATION OPTIONS

- 0 Residential Exempt
- 0 Small Commercial Exempt

LEVY

8771863 Estimated Levy
18.84 Single Tax Rate

CIP Shift	Res Factor	Share Percentages					Levy Amounts							Estimated Tax Rates				
		Res	Com	Ind	PP	Total	Res	O S	Com	Ind	PP	Total	Res	Com	Ind	PP		
1	100	82.7296	7.0315	5.6067	4.6323	100	7,256,923	0	616,789	491,813	406,337	8,771,863	18.84	18.84	18.84	18.84		
1.01	99.7912	82.5569	7.1018	5.6628	4.6786	100	7,241,774	0	622,957	496,731	410,401	8,771,863	18.8	19.03	19.03	19.03		
1.02	99.5825	82.3841	7.1721	5.7188	4.7249	100	7,226,625	0	629,125	501,649	414,464	8,771,863	13.76	19.22	19.22	19.22		
1.03	99.3737	82.2114	7.2424	5.7749	4.7713	100	7,211,475	0	635,293	506,567	418,528	8,771,863	18.72	19.41	19.41	19.41		
1.04	99.165	82.0387	7.3127	5.831	4.8176	100	7,196,326	0	641,461	511,485	422,591	8,771,863	13.68	19.6	19.6	19.6		
1.05	98.9562	81.866	7.383	5.887	4.8639	100	7,181,176	0	647,629	516,403	426,654	8,771,863	13.64	19.78	19.78	19.78		
1.06	98.7475	81.6933	7.4533	5.9431	4.9102	100	7,166,027	0	653,797	521,322	430,718	8,771,863	13.61	19.97	19.97	19.97		
1.07	98.5387	81.5206	7.5237	5.9992	4.9565	100	7,150,878	0	659,965	526,240	434,781	8,771,863	13.57	20.16	20.16	20.16		
1.08	98.3299	81.3479	7.594	6.0552	5.0029	100	7,135,728	0	666,133	531,158	438,844	8,771,863	13.53	20.35	20.35	20.35		

1.09	98.1212	81.1752	7.6643	6.1113	5.0492	100	7,120,579	0	672,300	536,076	442,908	8,771,863	18.49	20.54	20.54	20.54
1.1	97.9124	81.0025	7.7346	6.1674	5.0955	100	7,105,429	0	678,468	540,994	446,971	8,771,863	18.45	20.73	20.73	20.73
1.11	97.7037	80.8298	7.8049	6.2234	5.1418	100	7,090,280	0	684,636	545,912	451,035	8,771,863	18.41	20.91	20.91	20.91
1.12	97.4949	80.6571	7.8752	6.2795	5.1882	100	7,075,131	0	690,804	550,830	455,098	8,771,863	18.37	21.1	21.1	21.1
1.13	97.2861	80.4844	7.9455	6.3356	5.2345	100	7,059,981	0	696,972	555,748	459,161	8,771,863	18.33	21.29	21.29	21.29
1.14	97.0774	80.3117	8.0159	6.3916	5.2808	100	7,044,832	0	703,140	560,667	463,225	8,771,863	18.29	21.48	21.48	21.48
1.15	96.8686	80.139	8.0862	6.4477	5.3271	100	7,029,682	0	709,308	565,585	467,288	8,771,863	18.25	21.67	21.67	21.67
1.16	96.6599	79.9663	8.1565	6.5038	5.3734	100	7,014,533	0	715,476	570,503	471,351	8,771,863	18.21	21.86	21.86	21.86
1.17	96.4511	79.7936	8.2268	6.5598	5.4198	100	6,999,384	0	721,644	575,421	475,415	8,771,863	18.17	22.04	22.04	22.04
1.18	96.2424	79.6209	8.2971	6.6159	5.4661	100	6,984,234	0	727,812	580,339	479,478	8,771,863	18.13	22.23	22.23	22.23
1.19	96.0336	79.4482	8.3674	6.672	5.5124	100	6,969,085	0	733,979	585,257	483,542	8,771,863	18.09	22.42	22.42	22.42
1.2	95.8248	79.2755	8.4377	6.7281	5.5587	100	6,953,935	0	740,147	590,175	487,605	8,771,863	18.05	22.61	22.61	22.61
1.21	95.6161	79.1028	8.5081	6.7841	5.6051	100	6,938,786	0	746,315	595,093	491,668	8,771,863	18.02	22.8	22.8	22.8
1.22	95.4073	78.9301	8.5784	6.8402	5.6514	100	6,923,637	0	752,483	600,012	495,732	8,771,863	17.98	22.99	22.99	22.99
1.23	95.1986	78.7574	8.6487	6.8963	5.6977	100	6,908,487	0	758,651	604,930	499,795	8,771,863	17.94	23.18	23.18	23.18
1.24	94.9898	78.5846	8.719	6.9523	5.744	100	6,893,338	0	764,819	609,848	503,858	8,771,863	17.9	23.36	23.36	23.36
1.25	94.7811	78.4119	8.7893	7.0084	5.7904	100	6,878,188	0	770,987	614,766	507,922	8,771,863	17.86	23.55	23.55	23.55
1.26	94.5723	78.2392	8.8596	7.0645	5.8367	100	6,863,039	0	777,155	619,684	511,985	8,771,863	17.82	23.74	23.74	23.74
1.27	94.3635	78.0665	8.9299	7.1205	5.883	100	6,847,890	0	783,323	624,602	516,049	8,771,863	17.78	23.93	23.93	23.93
1.28	94.1548	77.8938	9.0003	7.1766	5.9293	100	6,832,740	0	789,490	629,520	520,112	8,771,863	17.74	24.12	24.12	24.12
1.29	93.946	77.7211	9.0706	7.2327	5.9756	100	6,817,591	0	795,658	634,438	524,175	8,771,863	17.7	24.31	24.31	24.31
1.3	93.7373	77.5484	9.1409	7.2887	6.022	100	6,802,441	0	801,826	639,357	528,239	8,771,863	17.66	24.49	24.49	24.49
1.31	93.5285	77.3757	9.2112	7.3448	6.0683	100	6,787,292	0	807,994	644,275	532,302	8,771,863	17.62	24.68	24.68	24.68
1.32	93.3197	77.203	9.2815	7.4009	6.1146	100	6,772,143	0	814,162	649,193	536,365	8,771,863	17.58	24.87	24.87	24.87
1.33	93.111	77.0303	9.3518	7.4569	6.1609	100	6,756,993	0	820,330	654,111	540,429	8,771,863	17.54	25.06	25.06	25.06
1.34	92.9022	76.8576	9.4221	7.513	6.2073	100	6,741,844	0	826,498	659,029	544,492	8,771,863	17.5	25.25	25.25	25.25
1.35	92.6935	76.6849	9.4925	7.5691	6.2536	100	6,726,694	0	832,666	663,947	548,556	8,771,863	17.46	25.44	25.44	25.44
1.36	92.4847	76.5122	9.5628	7.6251	6.2999	100	6,711,545	0	838,834	668,865	552,619	8,771,863	17.43	25.62	25.62	25.62
1.37	92.276	76.3395	9.6331	7.6812	6.3462	100	6,696,396	0	845,002	673,784	556,682	8,771,863	17.39	25.81	25.81	25.81
1.38	92.0672	76.1668	9.7034	7.7373	6.3925	100	6,681,246	0	851,169	678,702	560,746	8,771,863	17.35	26	26	26
1.39	91.8584	75.9941	9.7737	7.7933	6.4389	100	6,666,097	0	857,337	683,620	564,809	8,771,863	17.31	26.19	26.19	26.19

1.4	91.6497	75.8214	9.844	7.8494	6.4852	100	6,650,947	0	863,505	688,538	568,872	8,771,863	17.27	26.38	26.38	26.38
1.41	91.4409	75.6487	9.9143	7.9055	6.5315	100	6,635,798	0	869,673	693,456	572,936	8,771,863	17.23	26.57	26.57	26.57
1.42	91.2322	75.476	9.9847	7.9615	6.5778	100	6,620,649	0	875,841	698,374	576,999	8,771,863	17.19	26.76	26.76	26.76
1.43	91.0234	75.3033	10.055	8.0176	6.6242	100	6,605,499	0	882,009	703,292	581,063	8,771,863	17.15	26.94	26.94	26.94
1.44	90.8147	75.1306	10.1253	8.0737	6.6705	100	6,590,350	0	888,177	708,210	585,126	8,771,863	17.11	27.13	27.13	27.13
1.45	90.6059	74.9579	10.1956	8.1297	6.7168	100	6,575,200	0	894,345	713,129	589,189	8,771,863	17.07	27.32	27.32	27.32
1.46	90.3971	74.7852	10.2659	8.1858	6.7631	100	6,560,051	0	900,513	718,047	593,253	8,771,863	17.03	27.51	27.51	27.51
1.47	90.1884	74.6124	10.3362	8.2419	6.8095	100	6,544,902	0	906,680	722,965	597,316	8,771,863	16.99	27.7	27.7	27.7
1.48	89.9796	74.4397	10.4066	8.2979	6.8558	100	6,529,752	0	912,848	727,883	601,379	8,771,863	16.95	27.89	27.89	27.89
1.49	89.7709	74.267	10.4769	8.354	6.9021	100	6,514,603	0	919,016	732,801	605,443	8,771,863	16.91	28.07	28.07	28.07
1.5	89.5621	74.0943	10.5472	8.4101	6.9484	100	6,499,453	0	925,184	737,719	609,506	8,771,863	16.87	28.26	28.26	28.26

TAX RATE HISTORY

FY	RES	COMM		
91	\$ 11.99	\$ 14.54	REVAL	14% Shift
92	\$ 12.49	\$ 14.82		14% Shift
93	\$ 12.73	\$ 15.00		14% Shift
94	\$ 15.98	\$ 18.86	REVAL	14% Shift
95	\$ 15.90	\$ 18.76		14% Shift
96	\$ 16.27	\$ 19.19		14% Shift
97	\$ 16.96	\$ 20.03	REVAL	14% Shift
98	\$ 17.23	\$ 20.35		14% Shift
99	\$ 17.32	\$ 20.47		14% Shift
2000	\$ 17.63	\$ 20.86	REVAL	14% Shift
2001	\$ 17.56	\$ 20.78		14% Shift
2002	\$ 17.65	\$ 20.88		14% Shift
2003	\$ 16.31	\$ 20.11	REVAL	18% Shift
2004	\$ 17.03	\$ 20.98		18% Shift
2005	\$ 17.56	\$ 21.58		18% Shift
2006	\$ 13.84	\$ 19.97	REVAL	35% Shift
2007	\$ 15.21	\$ 21.96		35% Shift
2008	\$ 15.02	\$ 20.68		30% Shift
2009	\$ 15.36	\$ 20.22	REVAL	25% Shift
2010	\$ 15.33	\$ 18.19		15% Shift
2011	\$ 16.00	\$ 18.97		15% Shift
2012	\$ 17.26	\$ 20.47		15% Shift

FISCAL YEAR 2013 CLASSIFICATION HEARING			
	TAX RATE PUBLIC HEARING	TAX RATE PUBLIC HEARING	Difference
	FY 2013	FY 2012	
BUDGET	\$ 13,597,256.00	\$ 13,010,740.00	\$ 586,516.00
(Approved at TM)			
MINUS RECEIPTS	\$ 4,825,393.00	\$ 4,261,115.00	\$ 564,278.00
Includes MV Excise			
State Receipts			
Free Cash			
TAX LEVY	\$ 8,771,863.00	\$ 8,749,625.00	\$ 22,238.00
Raised from Property Tax			
TOTAL ASSESSED VALUATION	\$ 465,558,447.00	\$ 494,039,099.00	\$ (28,480,652.00)
divided by			
TAX LEVY	\$ 8,771,863.00	\$ 8,749,625.00	\$ 22,238.00
equals			
SINGLE TAX RATE	\$ 18.84	\$ 17.71	\$ 1.13

**NOTICE
TOWN OF ADAMS**

TAX RATE
PUBLIC
HEARING

WEDNESDAY
OCTOBER 31, 2012

TOWN HALL
MEETING ROOM
1st Floor
7:10 p.m.