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

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.

RECEIVED-FOSTER

OLERK

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

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

Arlen WHarry

Milly Rullett John EDwel



Town of Adams •

Massachusetts 01220-2087

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

JONATHAN W. BUTLER TOWN ADMINISTRATOR

Memorandum

To:

Board of Selectmen

From:

Jonathan Butler, Town Administrator

Subject:

Town Administrator's Report

Date:

October 17, 2012

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.

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



$Town\ of\ Adams$ · 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

Norma M. Max Doyald

13 FEB 27 AM 8: 48
ADAMS MASS.



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

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

140% SHIFT FACTOR

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 \$3.08 \$0.60 125% SHIFT FACTOR FY 2013 RES - \$17.66 CIP - \$24.49 \$0.40 \$4.02 130% SHIFT FACTOR

Difference

\$0.01

\$5.91

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.

0.0000%6 4.6323%6 385154436 82.7296% 5.6067% **VALUE RCENTAGE** 465,558,447 100:0000% 32735524 21565982 26102505 Personal Prop Commercial Open Space Residential Industrial CLASS Total

CLASSIFICATION OPTIONS

0 Residential Exempt 0 Small Commercial Exemp

8771863 Estimated Levy 18,84 Single Tax Rate

LEVY

Add annual (1984) and (2000) and (2000)			Share Percentages	rcentage:	2				Levy	Levy Amounts			Est	Estimated Tax Rates	Tax Rate	S
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98.1212 81.1752 7.6643 6.1113 97.9124 81.0025 7.7346 6.1674 97.9124 81.0025 7.7346 6.1674 97.7037 80.8298 7.8049 6.2234 97.4949 80.6571 7.8752 6.2795 97.2861 80.4844 7.9455 6.3356 97.2861 80.4844 7.9455 6.3356 96.8686 80.3117 8.0159 6.3916 96.8686 80.317 8.0159 6.4477 96.8686 80.317 8.0159 6.3598 96.8686 80.139 8.0862 6.4477 96.8686 80.139 8.2568 6.5598 96.8686 80.139 8.2568 6.5598 96.8686 80.139 8.2568 6.5598 96.8686 80.139 8.2584 6.870 95.848 78.7848 8.748 6.840 94.586 78.0665 8.8596 7.0645 94.572 77.2484 <	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
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98.1212 81.1752 7 97.9124 81.0025 7 97.7037 80.8298 7 97.4949 80.6571 7 97.2861 80.4844 7 97.2862 80.4844 7 97.2861 80.4844 7 97.2861 80.4844 7 96.8686 80.139 8 96.8686 79.4842 8 96.6599 79.4482 8 96.0336 79.4482 8 96.0336 79.4482 8 96.0336 79.4482 8 96.0336 79.4482 8 96.0336 79.4482 8 96.0336 79.4482 8 95.8248 79.7539 8 94.7811 78.78938 9 94.548 77.7203 9 93.5285 77.7203 9 92.9022 76.88576 9 92.4847 76.5122 9 92.4847 76.1668 9	6.1113	6.1674	6.2234	6.2795	6.3356	6.3916	6.4477	6.5038	6.5598	6.6159	6.672	6.7281	6.7841	6.8402	6.8963	6.9523	7.0084	7.0645	7.1205	7.1766	7.2327	7.2887	7.3448	7.4009	7.4569	7.513	7.5691	7.6251	7.6812	7.7373	7.7933
98.1212 97.9124 97.7037 97.4949 97.2861 97.2861 96.6599 96.6599 96.62424 96.0336 96.0336 96.0336 96.0336 94.9898 94.9898 94.7811 94.7811 94.5723 93.7373	7.6643	7.7346	7.8049	7.8752	7.9455	8.0159	8.0862	8.1565	8.2268	8.2971	8.3674	8.4377	8.5081	8.5784	8.6487	8.719	8.7893	8.8596	8.9299	9.0003	9020.6	9.1409	9.2112	9.2815	9.3518	9.4221	9.4925	9.5628	9.6331	9.7034	9.7737
	81.1752	81.0025	80.8298	80.6571	80.4844	80.3117	80.139	79.9663	79.7936	79.6209	79.4482	79.2755	79.1028	78.9301	78.7574	78.5846	78.4119	78.2392	78.0665	77.8938	77.7211	77.5484	77.3757	77.203	77.0303	76.8576	76.6849	76.5122	76.3395	76.1668	75.9941
1.09 1.11 1.11 1.13 1.14 1.15 1.16 1.17 1.18 1.19 1.12 1.24 1.25 1.26 1.27 1.28 1.29 1.29 1.31 1.31 1.31 1.31 1.31 1.31 1.34 1.35 1.36 1.37	98.1212	97.9124	97.7037	97.4949	97.2861	97.0774	9898.96	96.6599	96.4511	96.2424	96.0336	95.8248	95.6161	95.4073	95.1986	94.9898	94.7811	94.5723	94.3635	94.1548	93.946	93.7373	93.5285	93.3197	93.111	92.9022	92.6935	92.4847	92.276	92.0672	91.8584
	1.09	T. T.	1.11	1.12	1.13	1.14	1.15	1.16	1.17	1.18	1.19	1.2	1.21	1.22	1.23	1.24	1.25	1.26	1.27	1.28	1.29	1.3		1,32	1.33	1.34	1.35	1.36	1.37	1.38	1.39

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	26.38	26.57	26.76	26 94	27.13		77.75	777		78.07	28.26
	26.38	26.57	26.76	26 94	27.13	77.32	77.51	777	77 89	28.07	
•	17.27	17.23	17.19	17.15	17 11	17.07	17.03	16 99	16.95	16 91	16.87
	8,771,863	869,673 693,456 572,936 8.771.863 17.23	875,841 698,374 576,999 8.771.863 17.19	8.771.863	8.771.863	8 771 863	8 771 863	906.680 722.965 597.316 8 771.863 16.99	8 771 863	919,016 732,801 605,443 8,771,863 16,91	8,771,863
	568,872	572.936	576,999	581.063	585.126	589.189	593 253	597 316	601.379	605.443	905,609
	688,538	693,456	698,374	703,292	708.210	713.129	718 047	722.965	727.883	732.801	737,719
	0 863,505 688,538 568,872 8.771.863 17.27	0 869,673	0 875,841	0 882,009 703,292 581,063 8,771,863	0 888,177 708,210 585,126 8,771,863 17.11	0 894.345 713.129 589.189 8 771 863 17 07	0 900 513 718 047 593 253 8 771 863 17 03	0 906.680	0 912.848 727.883 601.379 8.771.863 16.95	0 919,016	0 925,184 737,719 609,506 8,771,863 16.87
	100 6,650,947	6,635,798	100 6,620,649	100 6,605,499	100 6,590,350	6,575,200	100 6.560.051	100 6,544,902	100 6,529,752	6,514,603	100 6,499,453
	100	100	100	100	100	100	100	100	100	100	100
	6.4852	6.5315	6.5778	6.6242	6.6705	6.7168	6.7631	6.8095	6.8558	8.354 6.9021	6.9484
	9.844 7.8494 6.4852	7.9055 6.5315	7.9615 6.5778	8.0176 6.6242	8.0737 6.6705	8.1297 6.7168	8.1858		8.2979 6.8558	8.354	8.4101
	9.844	9.9143	9.9847	10.055	10.1253	10.1956	10.2659		10.4066	10.4769	10.5472 8.4101 6.9484
	75.8214	75.6487	75.476	75.3033	75.1306	74.9579	74.7852	74.6124	74.4397	74.267	74.0943
	91.6497	91.4409	91.2322	91.0234	90.8147	90.6059	90.3971	90.1884	89.9796	89.7709	89.5621
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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 CLASSIFICATIO	N 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)			ii
(A)			
MINUS RECEIPTS	\$ 4,825,393.00	\$ 4,261,115.00	\$ 564,278.00
Includes MV Excise			
State Receipts			F
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			
AX LEVY	\$ 8,771,863.00	\$ 8,749,625.00	\$ 22,238.00
equals	-0.01		
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.