

Town of Adams Massachusetts 01220-2087

BOARD OF SELECTMEN

TOWN HALL BUILDING
8 PARK STREET

Wednesday, January 17, 2024, 6:00 p.m.

TOWN HALL, 8 PARK STREET, ADAMS, MA 01220
1st Floor, Board of Selectmen Meeting Room

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CALL TO ORDER: On the above date, the Board of Selectmen held a meeting at 6:00 PM at Adams Town Hall. Chair Christine Hoyt opened the meeting. Present: Chairman Christine Hoyt, Vice-Chair Howard Rosenberg, and Members Rick Blanchard, John Duval, and Joe Nowak. Also present were Town Administrator Jay Green, Town Counsell Attorney Edmund St. John III, Stephanie Melito, Recording Secretary, and Haley Meczywor, Town Clerk.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PUBLIC HEARING: Compliance Hearing Regarding Dangerous Dog at 12 Phillips Hill: Motion made by Member Blanchard to enter Public Hearing to review compliance measures made by the owners of the dangerous dog "Sully" at 12 Phillips Hill, second by Vice-Chair Rosenberg.

Roll call vote: Member Blanchard, yes. Member Nowak, yes. Vice-Chair Rosenberg, yes. Chairman Hoyt, yes. Member Duval, yes. Chairman Hoyt gave an overview of the reason for the hearing stating there was a notice sent to the Dog's owners stating there would be a review of the orders set in the meeting of November 15, 2023. The items were again reviewed at the December 20, 2023 meeting and the January 3, 2024, meeting. The board determined there needed to be an additional compliance hearing at the January 17, 2024, meeting. The dog's owners were not present. *Chairman Hoyt* asked if there were any representatives in the audience on behalf of the dog's owners. Seeing there were no representatives from 12 Phillips Hill present, *Chairman Hoyt* reviewed the compliance orders for the dog to remain at the residence. *Chairman Hoyt* called Adams Police Chief Kelley forward to the podium to address the board regarding the compliance measures. Chief Kelly stated that he has observed the kennel and due to the time of year, the cement floor for the kennel couldn't be poured. The neuter appointment is scheduled for February 2024. *Member Nowak* commented that if there are future incidents that it be handled in a more timely manner. Chief Kelley offered comment that future incidents will be handled in a more timely manner due to having the ACO and a police officer assigned to dog incidents. Before seeking a motion to close the public hearing, *Chairman Hoyt* asked if there were any representatives in the audience on behalf of 12 Phillips Hill.

Motion made by Member Nowak to exit the public hearing, second by Vice-Chair Rosenberg.

Roll call vote: Member Blanchard, yes. Member Nowak, yes. Vice-Chair Rosenberg, yes. Chairman Hoyt, yes. Member Duval, yes.

Member Blanchard made a motion to draft a letter requesting proof of castration be submitted to the board of selectman by the dog's owners after the February 23, 2024, appointment, seconded by Member Duval. Vice-Chair Rosenberg asked the procedures for closing out the case. Town administrator Green explained there would be a judicial process for noncompliance and the case becomes criminal. Attorney St. John will draft the letter to the dog's owners. **The motion passed unanimously.**

APPROVAL OF MINUTES: No action taken.

PUBLIC COMMENT: Tom Irwin, a resident of 54 Central Avenue, Dalton, MA, addressed the board requesting their support for the legislation regarding the Product Stewardship Program for paint recycling. He outlined the program details stating that eleven other states were currently involved in the program.

Steven Marko, a Cheshire resident and owner of property located at 0 East Mountain Road, addressed the board asking the board to make the portion of East Mountain Road leading to his property a public way to make his land marketable for sale. Attorney St. John commented that he received materials Mr. Marko gave to Building Commissioner Garner to research the validity that Mr. Marko claims the road as a town owned road that was maintained by the town. Attorney St. John stated that there was no evidence in his research that East Mountain Road has been accepted as a town road. Attorney St. John couldn't find a vote from town meeting making the road town accepted.

John Pitroff, resident of 19 Leonard Street spoke asking the town to support the Product Stewardship Program for Paint recycling as explained by Tom Irwin earlier in the Public Comment session.

Town Clerk Haley Meczywor explained the process to return the annual census forms. They can be dropped off at town hall, mailed back, or residents may call in the information to the town clerk's office and their information would be recorded. Also, she spoke about four (4) elections taking place in 2024. She also explained the process for voting by mail and that early voting starts Saturday February 24th, 2024, from 9AM to 5PM or in-person on March 5th, 2024. The annual town election is May 6th, 2024. All voting takes place at the Adams Memorial School Building. Nomination papers will be available in the town clerk's office beginning on January 29th, 2024, and all candidates will be to return paperwork by March 18th, 2024.

Chairman Hoyt closed public comment at 6:35 PM.

NEW BUSINESS

Introduction to Mitchel Keil, Veterans Service Agent: Town Administrator Green explained the shared service agreement with the City of North Adams and 7 additional communities. He also stated that Mr. Keil's office will be moved from the current location within town hall to the Adams Visitor Center with the COA for better access by his constituents. His current office hours for the Town of Adams will be Thursdays from 2-3:30 PM but will be available for appointments outside of those hours. *Member Blanchard* asked about Mr. Keil's accreditation. Mr. Keil explained that he is currently going through the accreditation process and taking classes towards it.

Ratification of Appointment of Michael Wynn as Executive Director of the Greylock Glen Outdoor Center. Town Administrator Green explained the process for determining the qualifications and process involved with developing the job description and qualifications that were determined to be critical in candidate hired for the newly created position of Executive Director of the Greylock Glen Outdoor Center. Town Administrator Green read the recommendation letter outlining Mr. Wynn's experience and skills for appointment to the position. Mr. Wynn thanked the board and stated he was excited about the opportunity. *Member Nowak* asked if Mr. Wynn was collecting a pension from the City of Pittsfield. Mr. Wynn stated he was not drawing a pension and would decide as to which system to retire from at the time of retirement. *Member Duval* thanked Mr. Wynn for stepping forward to apply for and accept the position. *Member Duval* and asked about who he will report to. Town Administrator Green stated that Mr. Wynn will report to him directly. *Member Blanchard* made a motion to ratify Michael Wynn to the position of Executive Director of the Greylock Glen Outdoor Center, seconded by *Member Duval*. The motion passed unanimously.

Review Annual Community Development Workplan: *Chairman Hoyt* introduced Community Development Director, Eammon Coughlin. Town Administrator Green gave an overview and updates on the projects of the department. Despite having many new employees, there are many projects being managed by the department besides the Greylock Glen project. Mr. Coughlin provided a spreadsheet to the board outlining the projects, grants, CDBG projects, housing rehab, future projects, along with potential funding sources through various grants. *Member Blanchard* asked Mr. Coughlin about the Agricultural Fairgrounds (Bowe Field) and what

could be done with the property. Mr. Coughlin mentioned that a potential use could be housing, but no plan has been created. *Member Nowak* asked about the Agricultural Fairgrounds usage and Quaker Meeting House funding. Mr. Coughlin said there may be grants available, but there are additional studies that need to be done. *Member Nowak* asked about the Fisk Street Dam and the Tax taking process. Mr. Coughlin said the process has been started with Treasurer/Collector Kelly Rice. Mr. Coughlin is not sure of the timeframe of the taking, but there's been meetings with the Office of Dam Safety. *Member Duval* asked about Jordan Street culvert replacement, and local match requirement process. Mr. Coughlin said the Conservation Commission permitting is close. VHB will make a presentation at the February Conservation Commission meeting. Bidding and construction should happen in the Summer 2024. Mr. Coughlin gave updates on Ashuwillticook extension and Curtis Fine Paper redevelopment options. *Member Rosenburg* asked about the Brownsfield grant and cleanup of some properties under the grant.

Vote to dissolve the Lease between the Town of Adams and Adams Agricultural Fair: Forist McLain III, president of the Adams Agricultural Fair Committee approached the podium to address the board. He stated the committee was meeting with an attorney to determine how the funds held by the committee were to be distributed to varying non-profits and town committees. He also turned in keys to the field to Town Administrator Green. *Chairman Hoyt* thanked the committee for the work they provided to the facility. She also asked who the committee obtained for an attorney. Mr. McLain didn't have the information but would notify the board when he had the information. *Member Duval* asked about a walk thru of the fairgrounds to best determine future usage. ***A motion was made by Member Blanchard to dissolve the lease between the Town of Adams and the Adams Agricultural Fair Association, Inc. and seconded by Member Rosenburg.*** *Member Rosenburg* asked if there was a cost to the Town for dissolving the lease. Town Administrator Green said there was no cost associated with dissolving the lease, but the costs to manage the property will fall under the town when it resumes full ownership. The vote was in favor, unanimous.

Review of Open Meeting Law Complaint filed by Cathy Foster and referral to Town Counsel for response: *Chairman Hoyt* gave an overview and stated there were three (3) Open Meeting Law complaints filed by Ms. Foster. ***Member Blanchard made a motion to forward the Open Meeting Law violation complaint to Town Counsel Attorney St. John for a response. The motion was seconded by Vice-Chair Rosenberg.*** *Member Duval* asked the process for response. Town Counsel St. John replied that he will reply to the complaint and copy the Attorney General's Office. An appeal can be made by the complainant if dissatisfied with the findings. ***The motion passed unanimously.***

Review of Open Meeting Law Complaint filed by Patrick Higgins and referral to Town Counsel for response: ***Member Blanchard made a motion to forward the Open Meeting Violation complaint to town counsel for response, seconded by Vice-Chair Rosenberg. The motion passed unanimously.*** *Member Duval* asked about the letter included to the Brookline Advisory Committee. Town Administrator Green replied that the letter was included in the packet from Patrick Higgins.

Hoosac Valley Regional School District Agreement Review: *Chairman Hoyt* read a letter from Superintendent Dean requesting town assistance in assembling a committee to review the district agreement. The request is for one member of the select board, one member from the finance committee and one resident from the town to be in the ad hoc group. *Chairman Hoyt* asked if anyone was interested to contact Town Administrator Green's office. The group's members would be appointed at the February 7, 2024, select board meeting.

Accept Retirement of Town Counsel: *Chairman Hoyt* read Town Counsel St. John's resignation retirement letter aloud. Each board member shared personal sentiments, appreciation, and best wishes to Attorney St. John.

Review Fiscal Year 2025 Budget Development Schedule: Town Administrator Green gave an overview of calendar for budget review sessions.

SUBCOMMITTEE AND LIAISON REPORTS

Member Nowak: Woodlands Partnership will be looking for financial support and guidance.

ANNOUNCEMENTS AND GOOD OF THE ORDER

Member Nowak: Referenced to an article in the January 2024 edition of the Mass Municipal Association “The Beacon” regarding road salt usage and run off into the waterways and rivers. Also announced that he stopped by the Adams Ambulance Service to speak with them and offer encouragement. He asked how Northern Berkshire EMS was working out with the Adams and Cheshire call volume. Town Administrator Green said there was only one incident where AAS provided mutual aid to Adams during the first two weeks of January. Chief Kelley spoke of the additional mental health services NBEMS provided to his staff during a particularly difficult call within the town. He also asked about the insurance claims. Town Administrator Green said that all claims are managed through the insurance company and that all constituents have been contacted, but the town had no control over insurance claims. A member of the audience interjected that the board should not be discussing this item as it is not on the agenda. *Chairman Hoyt* said that it was not debating. *Member Nowak* also asked about how the tax payments have been coming in. Town Administrator Green said it was consistent as always in the high 90th percentile.

EXECUTIVE SESSION per M.G.L. c. 30A, § 21, *For reason #2 To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel.*

Chairman Hoyt stated there is an executive session in the agenda and stated reason #2 for the executive session. There will be a roll call vote and the only reason to be taken up afterwards is to vote on the contract for Adams Police Chief K. Scott Kelley.

Member Blanchard made a motion to enter executive session for reason #2 To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel, seconded by Vice-Chair Rosenberg.

Roll call vote. Member Blanchard, yes. Member Nowak, yes. Vice-Chair Rosenberg, yes. Chairman Hoyt, yes. Member Duval, yes.

Chairman Hoyt called a 5-minute recess to clear the room 7:46pm.

The Board of Selectman moved into Executive Session at 7:51 pm.

Member Blanchard made a motion to exit Executive Session at 8:31PM, seconded by Vice-Chair Rosenberg. Roll call vote. Member Blanchard, yes. Member Nowak, yes. Vice-Chair Rosenberg, yes. Chairman Hoyt, yes. Member Duval, yes.

OPEN SESSION back in open session at 8:31PM.

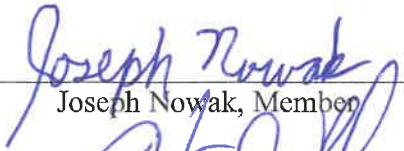
Approval of Police Chief K. Scott Kelley’s contract: Highlights of the contract were reviewed. Chief Kelley said that he is still making some changes to the department and is pleased with the progress he is making with the department and will continue to have an open-door policy and open communication to the extent that he is capable of. His contract will go from January 1, 2024, through December 31, 2026.

Member Blanchard made a motion to approve Police Chief K. Scott Kelley’s contract, seconded by Vice-Chair Rosenberg. The motion passed unanimously.

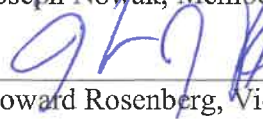
ADJOURNMENT: *Member Blanchard made a motion to adjourn. Seconded by Vice-Chair Rosenberg. The motion passes unanimously. The meeting was adjourned at 8:33PM.*

Respectfully Submitted,

Stephanie L. Melito, Recording Secretary



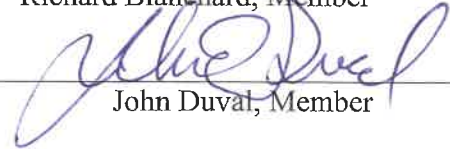
Joseph Nowak, Member




Howard Rosenberg, Vice Chairman



Richard Blanchard, Member



John Duval, Member



Christine Hoyt, Chairman