



Town of Adams Massachusetts 01220-2087

BOARD OF SELECTMEN

TOWN HALL BUILDING
8 PARK STREET

Wednesday, March 20, 2024, 6:00 p.m.

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

CALL TO ORDER: On the above date, the Board of Selectmen held a meeting at 6:00 PM at the Adams Town Hall. Board Chair Christine Hoyt opened the meeting. Present: Chairman Christine Hoyt, Vice-Chairman Howard Rosenberg and Members Rick Blanchard, John Duval, and Joe Nowak were present. *Attorney Edmund St. John III was absent.* Also present were Jay Green, Town Administrator; Eammon Coughlin, Community Development Director; Bri Hantman, Recording Secretary; Haley Meczywor, Town Clerk; Tammy Daniels, iBerkshires Reporter; Dave Bissaillon, ProAdams; Joanne DeRose, Bob Ide, and Dave LaPlante, Representatives of National Grid; Myra Wilk, Town Moderator; and members of the Adams Community.

The Pledge of Allegiance was recited.

Chairman Hoyt stated that meetings are recorded and televised live on Northern Berkshire Community TV and is available on channel 1301. iBerkshires identified that they would be recording as well.

PUBLIC HEARINGS:

The public hearing was postponed as an incorrect address was provided to town Staff from National Grid

PUBLIC COMMENT: Dave Bissaillon from ProAdams approached the Board. Thunderfest, which was due to take place on Saturday, March 23rd will not be happening on the 23rd, but rather Sunday, March 24th. 12pm-5pm at the Adams Visitor Center.

OLD BUSINESS:

Fiscal Year 2024 Budget Meeting Schedule

The budget was received back in January along with the Budget Workshop Schedule. Workshops are scheduled to take place on April 2nd, 4th, 9th, and 11th at 6pm in the Adams Free Library Annex Meeting Room.

Park Street Improvement Project

Pre Bid Conference being held Thursday March 21st. This is for contractors who are interested in bidding on the project. This will take place at 4pm in Town Hall.

Bid Deadline is April 4th.

Contractor bids for the Park Street Improvement Project are due in Town Hall by 4pm on April 4th.

NEW BUSINESS:

Update from National Grid Re: Complaint of Town-wide Flickering Lights

We have received calls regarding the flickering lights in Town. Joanne DeRose, Bob Ide, and Dave LaPlante from National Grid approached the board.

Bob Ide stated that this is a regional issue. It is coming from the Route 8 Corridor, specifically a few potential customers in the area. A customer was identified as the key point for the Total Command Distortion. We expect this to be resolved within the next couple of weeks.

Member Duval asked how it happened that one customer caused the distortion and how that can be avoided in the future. David LaPlante, Field Engineer for the area stated that this has taught them a lot. The customer put additional load on the grid that was causing other customers to receive unclean power.

Vice-chair Rosenberg asked if it was a matter of capacity of National Grid. JoAnne DeRose stated that it is not a matter of capacity for National Grid. Ms. DeRose stated that this customer is located in North Adams. *Vice-chair Rosenberg* asked if it was Ms. DeRose's opinion that the matter was being addressed appropriately. Ms. DeRose stated that she believes it is being addressed appropriately and the customer is putting the appropriate machinery and technology in place to resolve the issue. Ms. DeRose stated that there is a claims process with National Grid that customers can file them through the website or by calling.

David LaPlante approached the Board to explain that LED light bulbs are more sensitive to fluctuation in power than incandescent bulbs.

Member Duval asked what leverage the National Grid has to enforce that this customer fixes the situation as they are currently outside of the agreed Terms and Conditions.

Member Nowak asked what was being done as far as updating the Transformers/ substations in Adams as well as the transmission lines. Ms. DeRose stated that there is a plan in place to begin that project in 2028.

A member of the community member asked if the customer would have known that this issue would happen or if National Grid knew this. It was not an anticipated issue by National Grid or the customer.

Another community member approached the podium and asked if the flickering would cause any issues or damage to wiring in homes. She also asked if flickering should still be reported. The flickering should not cause any damage to wiring or bulbs and should continue to be reported.

Another community member approached the podium and asked why some people are experiencing it and others aren't. Mr. LaPlante explained that it has to do with how the power lines and phases are interacting as well as the quality and type of bulb. This community member also asked why there hasn't been any communication from National Grid and why it happens at certain times. Ms. DeRose stated that a communication will go out soon.

VHB Presentation and Discussion on Stormwater Bylaw

This bylaw is needed for the MS4 Permit. This permit is issued as part of the Clean Water Act. Part of this requires the Town to adopt a storm water bylaw. A draft of the Storm Water Bylaw will need to be reviewed. After that a public hearing it will need to be voted on at a Town Meeting. Kelly Siry, Water Resource Engineer from VHB approached the Board.

Stormwater is rain and snowmelt on natural landscapes that soaks into the ground or on paved surfaces that carries pollutants with it. The stormwater system can have significant impacts on a town including flooding. Sanding and salting roadways can lead to increased sedimentation, erosion, algae blooms, and invasive species.

Stormwater is regulated at the federal and state level. In Mass MS4 is regulated by the Environmental Protection Agency and falls under the Clean Water Act. There are 6 minimum control measures; Public Education and Outreach, Public Involvement, Illicit Discharge Detection Elimination, Construction Site Runoff Control, Post-construction site Runoff Control, and Good Housekeeping.

Illicit Discharge Detection and Elimination Bylaw Requirements help eliminate illicit discharge and creates an enforceable structure for the Town to use.

Member Nowak thanked VHB for their work and expressed his satisfaction with them. He also asked what VHB stands for. *Member Nowak* claimed that his colleagues don't listen to him even though he has a Master's Degree in Environmental Sciences. *Member Nowak* stated that a lot of the local riverbanks are undercut. *Member Nowak* expressed concern with the salt and sand that the DPW uses and how it affects pH levels in the rivers and sedimentation.

The Town of Adams will need to designate a Stormwater authority for enforcement. As the bylaw is currently drafted, it establishes the Planning Board as that authority and the Planning Board is prepared to take on that authority.

Vice-chair Rosenberg asked about salt and if there is a specific impairment for that in the plan. This bylaw will be documented by the town and then the Town will need to adopt some more requirements.

Director Coughlin stated that the Planning Board has agreed to take on the Stormwater bylaw authority as they already to the Site Plan review for any new development. Kelly Siry stated that she fully agrees with that determination as it streamlines the process as much as possible. The EPA requires that town to adopt regulation that has over 1 acre of disruption will require runoff treatment even if that land disturbance is outside of the MS4. Additionally, there is a secondary threshold of 20,000ft. Anything between 20,000ft and 1 acre will require secondary review from the Community Development Department.

Some communities have chosen to regulate additional pollutants as part of this process. This bylaw includes language regarding pet waste, which makes it illegal to dump pet waste into catch basins. The Town of Adams already has bylaws in place in that requires pet owners to pick up after their animals.

Member Nowak suggested that the draft bylaw was quite large (14 pages) and that it seems that the planning board will have an issue enforcing them. *Member Nowak* stated that enforcing bylaws is an issue and there is a lot of pet waste on the bike trail.

Member Duval asked who this would impact the community. Director Coughlin stated that this will really only affect major construction projects. There is an off chance that a very large home with a large garage and other construction could potentially trigger the secondary review.

Myra Wilk, Town Moderator Approached the Board and asked what Town Meeting this will be on the warrant for. *Chairman Hoyt* stated that it is her intention to have this on the Annual Town meeting warrant.

Announcement of Jordan Street Culvert Replacement Project Open House, Wednesday, March 27th from 4pm-6pm, Town Hall Select Board Room, 8 Park Street, Adams

Director Coughlin stated that the Town of Adams owns a culvert behind 17 Jordan street. In 2018 that collapsed. Donna Cesan has been working on the design process with the Federal Emergency Management Agency. We are now at the point that we are ready to share that design with the public. It will be an open house meeting style on Wednesday, March 27th.

Review and Approve Application to Place Signs on a Public Way, Berkshire Mountain Faerie Festival

Vice-chair Rosenberg made a motion to approve the placement of the signs pending a conversation with the Adams Beautification Committee. Member Duval seconded the motion.

Member Duval stated that the Center Street and Commercial Street traffic islands are currently maintained by the Adams Beautification Committee. Mrs. Hantman stated that she will work with the committee to make sure that these signs will not affect them.

The motion passed unanimously.

Review and Approve One-Day Public Entertainment License, Berkshire Mountain Faerie Festival, Saturday, June 15th, 2024 from 10am-8pm

Vice-chair Rosenberg made a motion to approve the One-Day Public Entertainment License, Berkshire Mountain Faerie Festival, Saturday, June 15th, 2024 from 10am-8pm. The motion was seconded by Member Duval.

Member Duval asked what additional burdens the Town will now face. Town Administrator Green stated that the Town will be able to lock and unlock the gates. The Town is unable to sustain the usage otherwise. The Town will also need to explore a usage fee for the space in the future as one had previously been collected by the Agricultural Fair.

Member Nowak expressed his regret that the agricultural fair closed. *Member Nowak* stated that the Fairgrounds would make a good farming village to location in Hancock.

The motion passed unanimously.

Update on July 10th, 2023, Storm Damage Recovery Funding

The Healey Administration has released \$525,000 in recovery funds specifically to be used for storm damage from the July 10th rain storm. The Waste Water Treatment plant sustained a significant amount of damage, as

has the Powers Street culvert. The funding does not have a timeline. The funding can only be used for public infrastructure and municipal use.

Cable Contract Joint Negotiation Update

The Cable Contract expires this year. There is a public hearing being scheduled in conjunction with our surrounding communities. We do not have the ability to negotiate rates as part of the contract. We do have the ability to negotiate the franchise fee which would impact the money received by Northern Berkshire Community Television, who televises our meetings. There are only a few items that we can negotiate which is why the Town is working with the surrounding communities. We are discussing a capital deal as well that would change the technology layout in the Board of Selectmen Room.

Member Nowak stated that Spectrum is on the cusp of being a monopoly. The more voices that can get together the better because monopolies are putting a damper on the country.

Greylock Glen Outdoor Center Address Determination, 135 Gould Road, Adams MA

Greylock Glen Water Tower Address Determination, 165 Gould Road, Adams MA

Member Duval made a motion to table items H and I, the above addresses, due to a clerical error that affects the address as stated above. The motion was seconded by Vice-chair Rosenberg. The motion passed unanimously.

Update on Alcoholic Beverages Control Commission decision regarding the sale of alcohol to an underage person, by Ambnik LLC, D/B/A Val's Variety, 5 Columbia Street, Adams MA 01220

Chairman Hoyt stated that this location was found to sell alcohol to a minor. The hearing was held on December 5th. The facts of the case were presented. The ABCC issued the business a warning with no further action taken against them.

Update on Alcoholic Beverages Control Commission decision regarding the sale of alcohol to an underage person, by TRI Petroleum LLC, D/B/A, Mobile, 160 Howland Ave, Adams MA 01220

Chairman Hoyt stated that this location was found to sell alcohol to a minor. The hearing was held on December 5th. The facts of the case were presented. The ABCC issued the business a warning with no further action taken against them.

Member Duval asked if the Board of Selectmen, as the licensing authority has the ability to hold a hearing as well. *Chairman Hoyt* stated that the Town is allowed to hold additional hearings to take further action if need be.

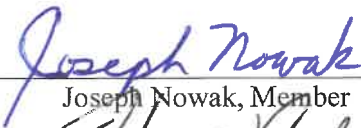
ADJOURNMENT: *Member Duval made a motion to adjourn. Vice-chair Rosenberg seconded the motion. The meeting was adjourned at 7:58pm.*

Documents Referenced

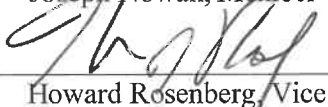
- Budget Workshop Schedule
- VHB Presentation Slides

- **Draft Bylaw Proposal**
- **Application to Place Signs on a Public Way: Berkshire Mountain Faerie Festival**
- **One-Day Entertainment License Application: Berkshire Mountain Faerie Festival**
- **Memo Re: Greylock Glen Outdoor Center Address Determination**
- **Memo Re: Greylock Glen Water Tower Address Determination**
- **Alcoholic Beverages Control Commission decision regarding the sale of alcohol to an underage person, by Ambnik LLC, D/B/A Val's Variety**
- **Alcoholic Beverages Control Commission decision regarding the sale of alcohol to an underage person, by TRI Petroleum LLC, D/B/A, Mobile**

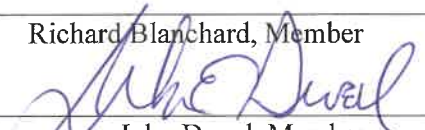
Respectfully Submitted by Bri Hantman, Recording Secretary.



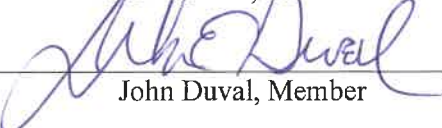
 Joseph Nowak, Member



 Howard Rosenberg, Vice Chairman



 Richard Blanchard, Member



 John Duval, Member



 Christine Hoyt, Chairman