

## Town of Adams Massachusetts 01220-2087

### BOARD OF SELECTMEN

TOWN HALL BUILDING  
8 PARK STREET

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ADAMS MASS.

Wednesday, February 19, 2020, 7:00 p.m.  
MEETING MINUTES

**CALL TO ORDER:** On the above date the Board of Selectmen held a meeting on the first floor of Adams Town Hall. The meeting was called to order at 7:00 p.m. by Vice Chairman Bush. Present were Members Duval, Blanchard and Nowak. *Chairman Hoyt was absent.* Also present were Town Administrator Green, Town Counsel St. John III, Community Development Director Cesan and Program Manager Ferguson, and DPW Director Tober.

**The Pledge of Allegiance was recited.**

**APPROVAL OF MINUTES:** The minutes for the February 5, 2020 and February 11, 2020 meetings were submitted for approval. *Motion made by Member Blanchard to waive reading the minutes for February 5, 2020 approve them as submitted, second by Member Duval. Vote: unanimous. Motion made by Member Blanchard to waive reading the minutes for February 11, 2020 and approve them as submitted, second by Member Duval. Vote: unanimous.*

**PUBLIC COMMENT:** *David Bissaillon and Erin Mucci of ProAdams* thanked the Town of Adams for years of support for Thunderfest and Ramblefest. They gave an overview of the upcoming Thunderfest event and thanked their sponsors for all of their support.

### NEW BUSINESS

**Change of Manager Application:** *Adams Turners, Inc., James Solomon to Virginia Fuller.* It was noted that Town Counsel had reviewed the paperwork submitted and advised it was ready to move forward. *Motion made by Member Blanchard to approve the application for Change of Manager of the alcohol license for Adams Turners, Inc at 6 Turners Ave, Adams., second by Member Duval. Vote: unanimous.*

### One Day Wine & Malt License Applications:

**BART Charter Public School,** One Commercial Street, Adams, MA, April 4, 2020 from 6:00 p.m. to 9:30 p.m. for a fundraiser. *Motion made by Member Blanchard to approve the One Day Wine & Malt License for BART Charter Public School c/o Julia Marko for a fundraiser on April 4, 2020 from 6:00 p.m. to 9:30 p.m., second by Member Duval. Vote: unanimous.*

**Nicholas Enterprises, dba Bounti-Fare,** Thunderfest, Adams Visitors Center, 3 Hoosac Street, Adams, March 7, 2020 from 11:00 a.m. to 5:00 p.m. *Motion made by Member Blanchard to approve the One Day Wine & Malt License for Nicholas Enterprises dba Bounti-Fare on March 7, 2020 from 11:00 a.m. to 5:00 p.m. for Thunderfest, second by Member Duval. Vote: unanimous.*

**Balderdash Cellars,** Thunderfest, Adams Visitors Center, 3 Hoosac Street, Adams, March 7, 2020 from 12:00 p.m. to 5:00 p.m. *Motion made by Member Blanchard to approve the One Day Wine License for Balderdash Cellars on March 7, 2020 from 12:00 p.m. to 5:00 p.m. for Thunderfest, second by Member Duval. Vote: unanimous.*

## Facility Use Requests

**Adams Visitors Center:** *ProAdams*, March 7, 2020 from 10:00 a.m. to 6:00 p.m., Thunderfest. **Motion made by Member Blanchard to approve the use of the Visitors Center by ProAdams on March 7, 2020 from 10:00 a.m. to 6:00 p.m. for Thunderfest, second by Member Duval. Vote: unanimous.**

**Adams Visitors Center and Train Station:** *Berkshire Scenic Railway Museum c/o Glendon Diehl*, March 7, 2020 until December 19, 2020 (see attached schedule). **Motion made by Member Blanchard to approve the Use of the Visitors Center and the Adams Train Station on the dates of the schedule provided, second by Member Duval. Vote: unanimous.**

## Ratifications

**Temporary Transfer Station Attendant/Custodian:** *Raymond Keele*. Vice Chairman Bush read the letter from the Town Administrator recommending the ratification of Mr. Keele to the position. *Town Administrator Green* gave some background on the position. *DPW Director Tober* introduced Mr. Keele to the Board and advocated for the ratification. **Motion made by Member Duval to ratify the appointment of Raymond Keele to the position of Temporary Transfer Station Attendant/Custodian effective February 24, 2020, second by Member Blanchard. Vote: unanimous.**

**Wastewater Treatment Plant Operations Supervisor:** *Walter Gerry*. Vice Chairman Bush read the letter from the Town Administrator recommending the ratification of Mr. Gerry to the position. *Town Administrator Green* gave some background on filling the position that has been open and to provide the creation of this position in the last bargaining agreement. He advised of the chain of command. **Motion made by Member Nowak to ratify the appointment of Walter Gerry to the position of Wastewater Treatment Plant Operations Supervisor effective February 24, 2020 at a grade and rate of \$26.79, second by Member Duval. Vote: unanimous.**

**Approval of Police Chief Job Description.** A brief review was done of the changes made to update the job description. Member Duval recommended having a workshop to go over the process on hiring a Police Chief for July 1<sup>st</sup>. **Motion made by Member Blanchard to approve the Police Chief Job Description as provided by the Personnel Sub-Committee, second by Member Duval. Vote: unanimous.**

**Route 8 Project Right-of-Way and Order of Taking Documents:** *Community Development Director Cesan* reviewed the Route 8 Project Right-of-Way process and status, and the Order of Taking documents. Substantial projects are happening in town and one is the Route 8 Improvement Project, in the Grove/Commercial Street area, which will result in a full and complete construction of roadway, sanitary and sewer. The administrative work consists of permanent easements with curb access and temporary easements for access from the labor pool on the project. This allows the Town to complete more work through state and federal funds including Chapter 90 funds. The Town is spending approximately \$600,000 in Town Funds (chapter 90) for engineering design, but the construction project costs \$9 Million. Abbreviations used in the plans for easement types were clarified, including Public Utility Easements, Temporary Easements, and Permanent Easements. It was explained that this project was started in 2012. The timeline of the project steps was reviewed. The Town hired VHB for a 25% design submittal in 2016 and at that time the project was estimated at \$4.5 Million but is now \$8.75 Million. Project work involves a full-depth reconstruction of one mile of roadway to include pavement, sidewalks, bicycle lanes, accommodate on-street parking and work on two bridges. Old clay drainage pipes are being replaced and new sewer connections will be

installed, along with the opportunity for the Town to line existing clay sewer pipes for essentially a completely new roadway. The Order of Taking for acquisition of permanent and temporary easements was noted as being required for implementation of the project. It was explained that most of the easements are to construct sidewalks and new driveway aprons. It was outlined that there are about 95 property owners affected in this dense area of the town center. Work has been done on the easements for approximately ten months and the majority of abutters have donated their easements. Director Cesan thanked the affected members of the public for their support of the project and cooperation. For a number of properties, appraisals were performed and there is a recommended award of "damages" for use of the land for the duration of the project for which these property owners can be compensated. The Board was asked for approval of the Order of Taking and the awards for damages. Payment will be tendered and the Order of Taking and the Right-of-Way Plans for the project will be recorded at the Registry of Deeds and once it is submitted and approved by the State's Right of Way office, the Town's right-of-way acquisition process will be certified and hopefully the project advertised from there. Clarification was made for the Board Members that Chapter 90 Funds cover the amount of the awards of damages. It was noted there is one unknown property owner that has not been able to be identified and the Town is preparing an easement for this property which is expected to be completed in a week or two. It was explained that this required Town Meeting approval last June authorizing the Board of Selectmen to go forward with the right of way process. The public was thanked for assisting with this process and coming in to the office. ***Motion made by Member Blanchard motion to approve the execution of the Order of Taking, second by Member Nowak. Vote: unanimous.*** Town Counsel St. John III noted the just compensation is pro tanto. How it is calculated was briefly explained as eminent domain. The value of loss the property owner is sustaining is calculated by the appraiser. ***Motion made by Member Nowak to approve the pro tanto for the taking of properties, second by Member Blanchard. Vote: unanimous.***

A brief review of the Crotteau and Murray Street project took place and it is hoped that this project will be done this summer under the Complete Streets Program. The north portion of Route 8 will be addressed in the future and there will be a public meeting or two for input, prior to efforts to have the project listed on the Berkshire County TIP. Howland Avenue condition was discussed and the opportunity for future roadway improvements to create an impressive entry to Adams was noted. State highway jurisdiction and maintenance responsibilities of the Town were reviewed and it was explained there is a need to address poor conditions of roadways sooner as the DPW can continue to fill potholes but these efforts do not last. Three quotes were received on a mill and overlay of Route 8 north and the estimated cost is just under \$1 Million. It was noted that the Cook Street Bridge decking is in serious disrepair and needs attention. MassDOT evaluated the bridge recently and needs to come up with a strategy.

## **DEPARTMENT REPORTS**

**Town Administrator:** Community Development staff Cesan and Ferguson were thanked for their hard work. It was noted that tomorrow night there will be a public information session on zoning changes. The asphalt "hot box" has been out of service for repairs and it will be back in service hopefully next week to address potholes. As the Police Chief is retiring the Town is going through forming the search process. As the Police Chief Job Description was approved tonight the Town will move rapidly to advertise the position. A KENO application from Pine Brook Pub was received by the state and it was approved. Nanette Reed was appointed to the School Committee to fill out the term from a previous resignation.

**Town Counsel:** A review was done of the proposed Commercial Street Order of Takings and a meeting took place with staff on this. A review was done of the application for Change of Manager for Adams Turners, Inc. A response was made to inquiries and a meeting took place with staff concerning real estate and tax collection issues. A response was made to a request for advice concerning a newspaper request for information. A written response to the Mountain Club regarding the Board of Selectmen's decision on the application for Change of Manager was completed.

**SUBCOMMITTEE AND LIAISON REPORTS:** *Member Nowak* advised that the Adams Suffrage Centennial Celebration Committee's "Black and Red Gala" took place on Saturday and was a resounding success. The Committee is approaching their financial goal and still looking for help so those interested can come to the Town Administrator's office. He thanked everyone who helped financially or has been volunteering their time for this celebration. *Member Duval* advised that the Town Administrator and staff are working on finalizing the preliminary budget. The Budget Subcommittee will meet and review it once complete and bring it to the full Board. Budget hearings will be scheduled soon. *Vice Chairman Bush* advised that he attended a Northern Berkshire Community Coalition (NBCC) seminar on criminal justice where the District Attorney, the Sheriff's Department, and the North Adams Mayor spoke. He encouraged attendance at the meetings.

**ANNOUNCEMENTS AND GOOD OF THE ORDER:** *Member Nowak* thanked the Administrative Assistant for her hard work and late hours for the Town and supporting the community. He noted the DPW Director had attended a meeting about the use of road salts and asked him to give a report on this information at a future meeting. *Vice Chairman Bush* advised that there will be a meeting on Tuesday for the Banners for Fallen Heroes to meet with the designer for the banners. He noted that there are twenty-three people so far on the list and anyone with information on an Adams resident that was killed in action during a war should contact the Town Administrator's Office to have them included.

#### **EXECUTIVE SESSION**

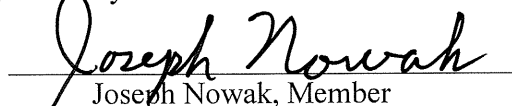
*#6., To consider the purchase, exchange, lease or value of real property*

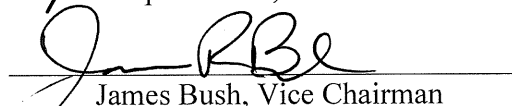
*At 7:54 Motion made by Member Blanchard to enter into Executive Session for Reason #6 as read aloud coming out only to adjourn, second by Member Duval. Roll Call Vote: Vice Chairman Bush, Members Duval, Nowak and Blanchard.*

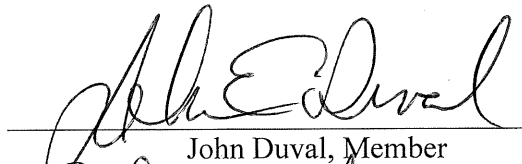
*At 8:55 p.m. Motion made by Member Nowak to exit the Executive Session, second by Member Blanchard. Roll Call Vote: Vice Chairman Bush, Members Duval, Nowak and Blanchard.*

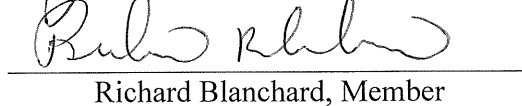
**ADJOURNMENT:** *Motion made by Member Nowak to adjourn the meeting, second by Member Duval. Vote: Unanimous. Meeting adjourned at 8:55 pm*

Respectfully Submitted by Deborah J. Dunlap,  
Recording Secretary

  
Joseph Nowak, Member

  
James Bush, Vice Chairman

  
John Duval, Member

  
Richard Blanchard, Member