

Town of Adams Massachusetts 01220-2087

BOARD OF SELECTMEN

TOWN HALL BUILDING
8 PARK STREET

Wednesday, April 15, 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. *It was announced that Members Blanchard and Duval were attending the meeting remotely for COVID-19 emergency purposes under 9410 CMR 29.10(5).* The meeting was called to order at 7:00 p.m. by Chairman Hoyt. Present were Vice Chairman Bush, Member Nowak and Town Administrator Green. Town Clerk Meczywor, Treasurer/Tax Collector Rice and Community Development Director Cesan attended the meeting remotely.

The Pledge of Allegiance was recited.

Chairman Hoyt advised that "pursuant to Governor Baker's March 12, 2020 *Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18*, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Town of Adams Board of Selectmen is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. A reminder that persons who would like to view this meeting while in progress may do so by tuning into Channel 1303, thank you to Northern Berkshire Community Television OR by calling (888) 788-0099. Despite our best efforts, if we are not able to provide for real-time access, a record of this meeting will be posted on www.nbctc.org as soon as they are able."

A moment of silence was observed in honor of the passing of Arthur "Skip" Harrington. A brief overview of some of his achievements was read aloud, and it was reported that the Town flags will be at half-staff through Friday, April 17th to honor him.

APPROVAL OF MINUTES: The minutes for the March 25, 2020 meeting were submitted for approval. *Motion made by Vice Chairman Bush to waive reading the minutes for March 11, 2020 and approve them as submitted, second by Member Nowak. Roll Call Vote: Nowak, Bush, Blanchard, Duval and Hoyt. Motion passed.*

PUBLIC COMMENT: *Public Comment was taken at (888) 788-0099. There were no comments made.*

NEW BUSINESS

COVID-19/ Town Operations Update: *Town Administrator Green* advised this is a fluid situation which may have stabilized on operational reaction according to regulations put forth for the pandemic. He noted that the Governor reported that the Commonwealth of Massachusetts is expected to meet the peak level by April 20th, when the rate of infection is at its greatest and there is the highest opportunity to require hospital care. He explained that the advisory was to try to avoid having a rush on hospital care. He recognized that it has been almost thirty days of self-discipline so the Town needs everyone's cooperation to continue to socially distance, use common sense, sanitize and take appropriate action. He stressed that if not everyone complies there is a risk of not being able to open until later in May. Plans are being created to open in the future. He read the statistics for Berkshire County, Adams and the Commonwealth of Massachusetts and noted the numbers are variable as people go into and come out of quarantine.

He noted it is continually changing. He read off the total number of positive cases for the state, and the numbers from yesterday. He explained the number of deaths due to the virus across the Commonwealth and those from Berkshire County. He noted that Adams has had a total of nineteen cases and zero deaths, including those in quarantine and recovery. He reported that the DPW is back to a 50% work crew every 2.5 days to reduce potential contamination and infection of staff. Next week is scheduled paving, street sweeping and other regular activities. Town Hall and the Council on Aging have been reduced to 9:00 a.m. to 1:00 p.m. Food services and limited van rides are being managed at the Council on Aging Office. There is a drop box at Town Hall for paperwork and those with inquiries may call the offices during open hours. Every office is staffed with one person to provide normal services as much as possible. Inspectional Services are operating as normal. He advised that in response to COVID-19 and Town Staff that were brought to part time have been furloughed for the remainder of their work hours with the hope to resume regular hours as soon as possible. He expressed that the two hardest working staff are Inspectional Services, and though other communities ceased permitting the Town of Adams has not. For those applying for a building permit, Inspectional Services will meet with you, issue permits and inspect the work site. They are also inspecting stores and restaurants for compliance. He pointed out that the use of masks is required for restaurant personnel. Citizens do not have to wear a mask if maintaining a six-foot distance unless in the grocery store. wzbz@boston.com has listed the number of infected people within individual towns in Massachusetts. Board Members noted that people have been seen pulling their masks off, and with the potential of contamination on the outside of the mask the request was made to refrain from touching mask exteriors. It was pointed out that Governor Baker is identifying testing facilities and in Berkshire County the Pittsfield facility can currently handle the load. The private sector is ramping up testing as well which is taking the load off of the requirement. There is a separate testing and quarantine facility for first responders through Emergency Management and the Board of Health. Those that may require testing are asked to get a referral from their primary care provider.

Approval and Signing of the Annual Town Election Warrant: *Town Clerk Meczywor* advised that the Annual Election will take place on June 1st at the DPW Garage from 7:00 a.m. to 7:00 p.m. It was explained that if social distancing is still in place, the law states that the Town has to have the election by June 30th. Absentee ballots may be helpful for maintaining social distancing, and citizens may call the Town Clerk office to have an absentee ballot application mailed to them. The law also provides for early voting by mail so there is an application. Information is available on the Town website or call the Town Clerk's office. ***Motion made by Vice Chairman Bush to approve the Annual Town Election Warrant for June 1, 2020 from 7:00 a.m. to 7:00 p.m. at the Adams DPW Garage at 92 North Summer Street, Adams, second by Member Nowak. Roll Call Vote: Chairman Hoyt, Vice Chairman Bush, Members Nowak, Blanchard and Duval. Motion passed.***

Local Option to Extend Due Dates of Tax Bills: *Town Administrator Green* advised that the pandemic has affected municipal operations, particularly Town Meeting. The government has provided relief and provisions in legislation. The two options are to have a local option to extend the due dates of tax bills from May 1st to June 1st, and a local option to waive interest on late payments. It was pointed out that the legislature has given the community authority waive the late fees. *Treasurer/Tax Collector Rice* noted that as a member of community she recognizes that there will be a hardship, and she will help anyone who needs it. Board Members advised of communication received by residents asking for the tax payment deadline to be delayed at least a month noting some businesses have a limited source of revenue until restrictions are lifted and some are ineligible for the payroll program, as they are non-profit. Inquiries were made about how this situation will affect the Town budget, and if there will be borrowing needed to run the town. Concern was expressed about the number of businesses that may close due to the financial setback. It was explained that many communities are doing month by month budgeting until the financial picture is clearer. It was pointed out that all money from the Small Business Administration loan program will be depleted, but the link for this resource is www.sba.gov/funding/funding/coronavirus/loan/options.

It was estimated that approximately 65% of property taxes are paid through escrow accounts. Brief discussion took place regarding defaults and tax payments. It was explained that if the Board chooses not to delay the due date but waives the late fees it does not stop the Tax Collector from working with people on a case by case basis, and they would have until June 30th for interest to be forgiven. If payments are not made by then interest starts back from the original due date of May 4th. The municipal impact on the bill schedule was discussed for the scenario of extending the due date and also for forgiving interest fees. Emergency borrowing paybacks, the school payment, monthly insurance payments, payroll and regular bills were outlined as part of the consideration. If extended to June 1st cash flow shifts from May to June and it was noted that it will deplete what is in savings. If the Town is not able to pay on the bill schedule, it was explained that the only option is to short term borrow to pay the bills, which would incur interest. If extended, the Board of Selectmen could only do it once. It was outlined that it would be Section 10 Chapter 53 Act of 2020 to authorize the Board to extend due date of tax bills to June 1st and/or Local Option Section 11 to waive interest of certain payments past the due date before June 30th. If adoption of Section 11 takes place it will be a requirement to contact the Treasurer's Office after May 4th to make payment arrangements. Tax Collector Rice advised that it would be better not to adopt Section 10 but to adopt Section 11, which would allow for no penalty, no interest, and no fees. It was noted that by adopting Section 11 it gives the Town greater range and that COVID-19 is costing the Town in additional supplies and Wastewater Treatment Plant costs because people are home. It was pointed out that there is no guarantee that the stimulus funds will come in by a certain date, that some people on unemployment do not have checks yet so this may make a difference. ***Motion made by member Nowak to adopt Section 10 Chapter 53 Act of 2020 of the waiver of tax deadline from May 4, 2020 to June 1, 2020, second by Member Bush. Roll Call Vote: Voted in favor was Member Nowak. Voted in Opposition were Chairman Hoyt, Vice Chairman Bush, Members Duval and Blanchard. Motion failed.***

Local Option to Waive Interest on Late Payments: Motion made by Member Blanchard to adopt Section 11 to waive interest on late payments and fees for property taxes and personal property bills before June 29, 2020, second by Member Nowak. Roll Call Vote: Voted in opposition was Member Nowak. Voted in favor were Chairman Hoyt, Vice Chairman Bush, Members Duval and Blanchard. Motion passed.

Community Development & Capital Projects Update: Community Development Director Cesan advised that the current projects are on schedule and anticipate no serious delays. The *Greylock Glen Outdoor Center Project* is moving forward. The design of the outdoor center is 100% complete and public bidding documents are being developed. As they are a complicated set of documents there may be up to twenty sub-bid categories, which will require filed sub-bids. Once done and a funding source for construction is obtained it is ready to go. *Greylock Glen Water Supply Project* for the water supply to first two components to the Glen is being designed and is waiting on Wright-Pierce Environmental Engineers. *Memorial School Redevelopment & Reuse Project* is underway. The HVAC has been funded under the 2018 Community Development Block Grant (CDBG) program. The Town executed a contract in January to begin work on this project. Project meetings took place until social distancing requirements forced project meetings to take online. Substantial completion of the project is anticipated by the end of April with up to another forty days for final completion. It is on track to close out by June 30th. The *65 Park Street Entrance Improvement Project* small grant for the Registry of Deeds building is out to bid and due by 4:00 p.m. on April 23rd. A walkthrough took place and everyone wore masks. It is anticipated that this project will be able to proceed quickly as the building is closed and the scope of work is limited, and expected to be completed by July, 2020. It was noted that will be done on the Town Hall front steps with a table and people can stay on the sidewalk area to be socially distant. The *Russell Field Improvement Project* is the major project under CDBG Fiscal Year 2019, and will be advertised tomorrow. It will be out to bid soon with the hope that restrictions will be lifted so it can go forward this summer season. The *Town Common Renovation Project* is moving forward and Tighe & Bond is finishing up the bid package.

The Town received funding under the Parkland Acquisitions and Renovations for Communities Grant (PARC) program. The DPW is expected to perform certain demolition work and staff is pursuing opportunities to repurpose the gazebo. Project bidding is anticipated to begin in mid-May so a contractor will be ready to proceed on July 1, 2020 in compliance with the requirements. The focus is to create a foundation for the new statue and completing the rest of the work in the Common. The *Route 8 Improvement Project* is also moving forward. The Right-of-Way for the Route 8 Project was submitted to MassDOT with documentation for final approval and it is anticipated that advertising will take place in May. The Traffic Control Agreement and the Non-Participation Agreement for additional sewer pipe lining work have been signed and returned to MassDOT. The final anticipated construction costs are \$9.1 Million. This is for one mile of new roadway, drainage, sidewalks and other items and is anticipated to finish in 120 days. The Ashuwillticook Rail Trail Extension (Phase IV) Project is still active. Federal Highway funds were allocated by MassDOT in the amount of \$561,003 for 25% design with another \$140,250 (20% match) provided by the Town through Chapter 90 funding. Engineering design has begun with survey, bridge design and hydraulic studies, as well as environmental analysis. The Design Public Hearing is expected to occur prior to the end of the 2020 calendar year. It was explained that the Metropolitan Planning Organization (MPO) reviews the projects with MassDOT District 1 and MPO, the Board, and MassDOT District 1 are moving forward and ready to go. The *Grant Street Drainage Project* received approval under the Municipal Vulnerability Preparedness grant program and Adams was the lead community. The Town received \$580,000 for construction and \$70,000 for engineering but the Town must put in 25%. Hopefully this project will be out to bid by the first week of May. The engineers have some survey and some soil borings to do. The Town will use informational mailings for now, and it is expected to go forward this summer. The *Davis Street Culvert Replacement Project* has a set of plans from Hill Engineers which is being vetted by the DPW staff to replace the culvert with a larger culvert and armored wing walls for extra resiliency. The Conservation Commission is expected to review it for approval and hopefully this project will go forward this summer. The *Jordan Street Culvert Replacement Project* application under the Hazard Mitigation Grant Program (HMGP) 4372 was approved in October by MEMA and it was recommended for further review by FEMA and an obligation of \$1,717,500 in federal funding for the project with the Town's 25% funding match. FEMA requested additional information to complete their review of the Town's application, and an actual award of funding from FEMA and a notice to proceed with the project may take considerable time. It was noted that the Grant Street Project work assisted in funding being received for the Mohawk Trail Woodland Partnership and Director Cesan was thanked. The *Bellevue Cemetery* design process is being done through EDM and is being overseen by the DPW Director. It is expected to be finished in sixty days or so. The *Hoosac Valley Coal and Grain Project* bid package is being worked on for hazardous materials abatement on the grain tower and barn structure and the Town is waiting on technical specifications for cleanup of the coal dust and other ground contaminants. The Town has until the end of the year to get it done. Once the site is cleaned up a Community Development Block Grant application for funding to complete the Coal and Grain Park at that location can go forward. A request was made to put funding into the rapidly deteriorating building and a proposal was received from Austin Design, but the Town has not had funding because of other priorities. With the new budget year, it is hoped to get it under contract to develop the model to stabilize the building and protect the envelope before going forward with reuse. Director Cesan and her staff were thanked for their hard work and the continued ability to find funding.

FY '21 Budget Update: Town Administrator Green and Town Accountant Beverly are working to finalize the budget and hope to have it ready next week. Hard work is being done to have it for the Board of Selectmen and Finance Committee to go forward for the June Town Meeting.

DEPARTMENT REPORTS

Town Administrator: *Town Administrator Green* advised he had nothing further to add.

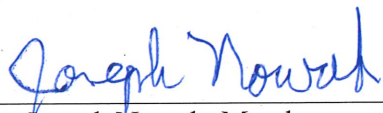
Town Counsel: *Town Counsel St. John III* advised he worked on a pending litigation matter, including legal research and response to court requests for information. He reported he researched the viability of a deed transfer, including an examination of the records at the Registry of Deeds, and provided advice on the options available. He noted that he began to draft a purchase and sale agreement. He reviewed and provided comment concerning the proposed Board of Health "Tobacco Regulations", and responded to an inquiry concerning a housing issue. He expressed sorrow at the passing of Skip Harrington and reviewed the work done over the years with him. He updated the Board on the status of the old Curtis Paper property being in land court but held up due to the Covid-19 situation.

SUBCOMMITTEE AND LIAISON REPORTS: *Vice Chairman Bush* advised he had a conference call with the Northern Berkshire Solid Waste Management District regarding the tree grinder and glass.

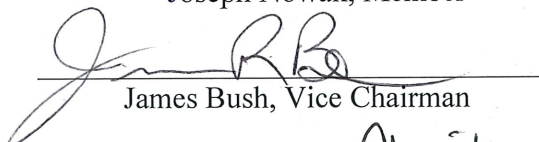
ANNOUNCEMENTS AND GOOD OF THE ORDER: *Member Nowak* expressed condolences to the family of Skip Harrington. He noted that Skip was heartfelt, caring, compassionate and nurturing and he hopes he rests peacefully. *Member Duval* echoed the sentiments expressed by Member Nowak. *Chairman Hoyt* reported that the Mobile Food Bank took place yesterday, and she and Vice Chairman Bush participated in helping to serve 376 households until they ran out of food. She pointed out that the need is great and the Northern Berkshire Emergency Operations Center is putting together food access programs so people are aware of where they can get food. The Food Bank will be back in two weeks. She applauded Council on Aging Director Girgenti and her volunteers who have changed the process to be done safely under the guidelines set by the Governor. She informed of a school food access program with Berkshire Regional Planning Commission and the Berkshires Tomorrow program on Mondays, Wednesdays and Fridays. The grant application through Berkshire United Way is providing the meal program in Adams, which will distribute meals every Saturday through May 2nd from 10:30 a.m. to 11:30 a.m. for drive-through delivery. It was explained that residents can pay local restaurants to provide the meals, and this program is no cost, no questions, and has no restrictions. It is specifically to target children in the school district. *Vice Chairman Bush* advised that the Council on Aging is taking \$2 lunch call-ahead reservations for seniors to reserve a meal for a car to pull up and someone will come out with the meal. It was explained that there would be no Executive Session meeting this evening. *Chairman Hoyt* thanked Northern Berkshire Community Television and the iBerkshires for their help with getting the information to the public from the meeting. She noted with the restrictions the fifteen-member Finance Committee Meetings will have challenges. She advised there will be meetings on April 29th and May 6th. There cannot be more than ten people in a room due to the Governor's guidelines.

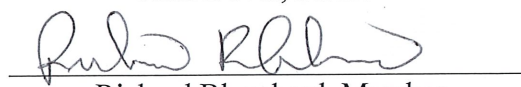
ADJOURNMENT: *Motion made by Member **Bush** to adjourn the meeting, second by Member **Nowak**. Roll Call Vote: Chairman Hoyt, Vice Chairman Bush, Members Duval, Nowak and Blanchard. Motion passed. Meeting adjourned at **9:22 pm***

Respectfully Submitted by Deborah J. Dunlap,
Recording Secretary


Joseph Nowak, Member

John Duval, Member


James Bush, Vice Chairman


Richard Blanchard, Member


Christine Hoyt, Chairman