

Town of Adams Massachusetts 01220-2087

BOARD OF SELECTMEN

TOWN HALL BUILDING
8 PARK STREET

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Wednesday, September 2, 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 Board of Selectmen Chairman Hoyt. Present were Members Duval, Blanchard and Nowak. Also in the room were Town Administrator Green, Chief Bacon, Town Clerk Meczywor, Patrolman Morin, Patrolman Kaiser and Jeff Snoonian of the iBerkshires. Attending remotely were Vice Chairman Bush, Town Counsel St. John III, Superintendent Dean, Superintendent Brosnan, Catherine Foster, John Bianchi, Larry Parnass of Berkshire Eagle.

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 via the Zoom platform, which is being recorded. 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 recording of this meeting is available for anyone who wishes. Rule of 10 in place according to Code Enforcement for the size of the room in accordance with the Governor's order and NBCTC will post a link soon after the meeting.

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES: The minutes for the August 5, 2020 and August 11, 2020 meetings were presented for approval. ***Motion made by Member Blanchard to waive reading and approve the minutes for August 5, 2020 and August 11, 2020 as presented, second by Member Duval. Roll Call Vote: Chairman Hoyt, Vice Chairman Bush, Members Duval, Blanchard and Nowak. Motion passed.***

PUBLIC COMMENT:

Join Zoom Meeting:

<https://zoom.us/j/97281677170?pwd=aUpGeVZRc2piRjFXdEU2MDZzc2hsQT09>

Meeting ID: 972 8167 7170; ***Passcode:*** BOS0902

Dial In: 1 (929) 436-2866; ***Meeting ID:*** 972 8167 7170; ***Passcode:*** 8840527

Chairman Hoyt thanked the Susan B. Anthony Museum for lending the Susan B. Anthony portrait to the Town of Adams. She explained that it has been at the Museum since it was donated by Bountifare restaurant and has been part of the permanent collection. It will be on display at Adams Town Hall until February 2021. **Chief Bacon** announced two new officers Officer Nicholas Kaiser and Officer Samantha Morin. He gave information about their backgrounds and they were sworn in by Town Clerk Meczywor.

NEW BUSINESS

Approval of the Town Meeting Warrant: *Chairman Hoyt* advised the Board of Selectmen was provided a draft of the Town Meeting Warrant and Articles 1 – 19, which are financial articles, and 20 – 27, which are a variety of articles. She advised that if Board Members would like to hold an article for discussion it will be voted on separately and all articles not held will be voted en masse. All articles were read aloud. Held for discussion were Articles 7, 8, 12, 18, 20, 24 and 26. ***Motion made by Member Blanchard to approve Articles 1, 2, 3, 4, 5, 6, 9, 10, 11, 13, 14, 15, 16, 17, 19, 21, 22, 23, and 25, second by Member Duval. Roll Call Vote: Chairman Hoyt, Vice Chairman Bush, Members Duval, Blanchard and Nowak. Motion passed.*** Discussion took place on the held articles.

Article 7: *Member Duval* referenced Public Works under road maintenance and replacement of sewer pipes for the Route 8 Project. He explained the project is over \$7 Million, it has been approved and funding has been secured. The \$217,000 for sewer pipes is in same location of the project. *Town Administrator Green* advised this expensive project is funded through the Metropolitan Planning Organization that accesses federal and state funds. He explained that some portions are funded and some are not. Sanitary Sewer is non-participated work and not funded by the state so it has to be funded by the municipality. He noted that if 40R passes Town Meeting this could be an alternative way to fund it. *Member Duval* pointed out that if 40R is approved and funding is received the Board of Selectmen could make decision on how to use those funds, whether on this or another appropriate project. ***Motion made by Member Duval to approve Article 7 to go forward as written, second by Member Blanchard. Roll Call Vote: Chairman Hoyt, Vice Chairman Bush, Members Duval, Blanchard and Nowak. Motion Passed.***

Article 8: *Member Duval* advised that he has questions about the Covid-19 conditions requiring a hybrid beginning for Hoosac Valley Regional School District and about busing. He inquired about the contracts with bus contractors and noted that if the school year is shortened and the cafeteria is not open whether school cafeteria workers would create a savings or in similar areas because of the way the school year is going. *Hoosac Valley Regional School District Superintendent Dean* advised there is a potential savings but there are a lot of unknowns. He noted busing starts September 2nd which is ten days later, and because the District had to account for numbers the kindergarten count doubled for morning and afternoon sessions. He explained this keeps the buses going and loads small. He advised that athletics don't look as though they will happen for the fall so there is a potential savings there. He explained that the needs will reflect the savings with services that are not utilized. The cafeteria is serving breakfast and lunch every day for students on site, and those not there are picking them up. The cafeteria runs on its own account because it is subsidized by the government and it doesn't reflect in the District budget. *McCann Superintendent Brosnan* advised of a slight difference with McCann opening on September 16th, similar to last year. The contract is for 180 session days and is now at 170 session days. Last year McCann had non-session days. He advised it is down \$50,000 which will likely be received. He explained that when the route is running the 47-passenger bus has 15 students. He advised of an adjusted number of students in the building due to transportation and numbers in the school. The cafeteria will run from September 16th and will serve 135 to 140 students a day or so. *Member Duval* inquired about internet access and if chrome books or equipment are needed for students to call in and take classes virtually. *HVRS Superintendent Dean* advised he has grants to obtain equipment and purchased hot spots for 70 families with no internet access. He noted that the District has 800 but are 300 short for families so he is looking into how many families can bring in their own devices for learning that can access an internet browser. He stated he has an order in to the

state for 400 more devices to replace problem devices. He explained that the Town helped six years ago for devices and now there is no support for Chromebooks. *McCann Superintendent Brosnan* advised that issued laptops and Chromebooks are in the pipeline estimated for October and will be one for each student. He explained there are nine communities and some students are from out of district so McCann will work with them. *Member Nowak* inquired if there is an opt-out choice and whether there are established numbers of students attending virtually instead of in-person. *HVRS Superintendent Dean* reported that 1/3 of the student population is opting to go virtually. 2/3 of the students are remaining and the District cannot bus them all to school at the same time so they are instituting a hybrid model to provide access, which requires a lot of logistics. *McCann Superintendent Brosnan* advised that not a lot of students are opting out as the technology is missing, and the school is bringing them in for the vocational area. Some are in for a three-day week, then a two-day week in ten days and very few opted out of that portion. For stability it was noted that families were asked to commit to this model for the quarterly marking term. *McCann Superintendent Brosnan* explained that McCann doesn't have the ability to be flexible and cannot make an adjustment due to safety and headcount. It was explained that only a few students are opting out to home school from HVRS and none from McCann. ***Motion made by Member Duval to accept Article 8 as written, second by Member Blanchard. Roll Call Vote: Chairman Hoyt, Vice Chairman Bush, Members Duval, Blanchard and Nowak. Motion Passed.***

Article 12: *Member Nowak* asked for clarification on this article as it is circumventing established procedure in the bylaws and asked if it would require a bylaw change. *Town Counsel St. John III* advised that this is a regular article. *Member Nowak* inquired if this is an established procedure why a Special Town Meeting was needed. *Town Counsel St. John III* advised that this is not an article that was just created and he deferred to the original writer of the article. *Member Blanchard* clarified that this provision was not in place the Town would have to call a Special Town Meeting, especially for the transfer of funds for snow and ice removal, salt, and other items from the Reserve Fund. *Town Administrator Green* reviewed the process of the use of Reserve Fund and outlined the level of review performed by the Board of Selectmen and Finance Committee. *Town Accountant Beverly* advised the fund is for extreme emergencies and cautioned about leaving it in there. ***Motion made by Vice Chairman Bush to accept Article 12, second by Member Blanchard. Roll Call Vote: Chairman Hoyt, Vice Chairman Bush, Members Duval, Blanchard and Nowak. Motion passed.***

Article 18: *Member Duval* asked what the status of Adams Memorial School Building was regarding the HVAC project and public use of the building. *Town Administrator Green* advised the work has been completed but a walkthrough has not yet been done. *Member Duval* requested a Memorial School Sub-Committee meeting be scheduled to discuss the eventual public use of the building. *Town Administrator Green* advised that with the transition of the Community Development Director it is a discussion that the Memorial School Sub-Committee can have but he is not sure when. It was pointed out before the pandemic the Town allowed basketball and other use of the gym and it was hoped that the Council on Aging would move into the building and the use of the gym would return. It was explained that once the project is ready to go the Memorial Sub-Committee will walk through the building. *Member Blanchard* stated that discussion about setting rules for use of the building doesn't require the building to be open, and once it is open it will be in high demand. *Member Nowak* pointed out that the work has been finished and the contractor gone for quite some time. *Town Administrator Green* advised it would need to hold for a while for Berkshire gas to initiate service. He explained that water service was shut down because pipes broke and it has to be brought back. ***Motion made by Member Blanchard to approve Article 18 as provided, second by Member Duval. Roll Call Vote: Chairman Hoyt, Vice Chairman Bush, Member Duval, Blanchard and Nowak. Motion passed.***

Article 20: *Member Duval* reported that four sub-districts were established. Regarding 16F affordable housing he noted that the Town is moving forward and this would establish medium-level and high-level income apartments when housing is developed. He reviewed that for all projects there would be not less than 20% and not more than 40% shall be affordable housing. He inquired who makes that decision or whether it is based on a state formula. The definition sections were read regarding the planned approval authority and it was noted that the Planning Board does a plan approval process within the Smart District. It was explained that for a mixed-use development it would be important to find a balance that meets the nature of the community, and the Planning Board works with the developer. A greater percentage of affordable housing may be allowed at its discretion and there is a lot of flexibility for the Planning Board to tailor the project and incentive policy. It was explained that the amount of money the Town may receive, if the smart growth overlay is approved, could be \$600,000. It is also tied to the Town coming through with affordable housing including office buildings, construction and use. It was noted that many communities in the Commonwealth have to meet expectations of funding of the state and if they are not met the funding must be returned. Consideration would be given if the project does not meet the threshold that state requires. The question had come up last year and the Town would be conservative on how the money is spent. By the time the Town passed the bylaw and it goes to the state a project may be on the books. One project will only go forward if 40R passes and there are five developers for the Memorial School Building that said they would rely on 40R for their project. ***Motion made by Member Blanchard to accept Article 20, second by Member Duval. Roll Call Vote: Chairman Hoyt, Vice Chairman Bush, Members Duval, Blanchard and Nowak. Motion passed.***

Article 24: *Member Nowak* stated the Town had a job description for a Senior Planner, and asked if there was a job description for the position of Economic Community Development Consultant. *Town Administrator Green* advised there is no job description but he anticipates former Community Development Director Cesan may be hired for use of the funds to advise and consult. ***Motion made by Member Blanchard to accept Article 24, second by Member Duval. Roll Call Vote: Chairman Hoyt, Vice Chairman Bush, Members Duval, Blanchard and Nowak. Motion passed.***

Article 26: *Member Duval* noted that this was for the Mobil Station next to Hoosac Valley Elementary School. He inquired whether oil discovered by digging for an addition in the early 1990s whether the issue was dealt with. He noted that under the Mobil Station there may be another oil situation. If it is used as a parking lot, it could be cleaned up as needed if oil is found there. It was noted that the tanks were pumped but are still present. *Town Administrator Green* advised at the next meeting Community Development Director Cesan will give an update. TRC, and environmental group, has been engaged to get a snapshot of what the cleanup process would look like. If the Town owns it there would be access to Brownfields funding. It was pointed out that the Board of Selectmen is not in the business of acquiring real estate but if Town Meeting gives the Board of Selectmen authority to purchase the land an inquiry was made where the funding would come from. *Town Administrator Green* explained that the fiscal transaction is a release of three liens on another parcel owned by the same owner. It would be a release of tax liens and a demolition lien, and the parcel is current on its taxes. *Member Nowak* noted that contamination did not come up in conversation in the past. He provided his knowledge on the Brownfields program and explained the challenges for the drop off of children and teacher parking. It was pointed out that if the Town wants people to come into the community it must look presentable. The property was described as an "eyesore" now and Brownfields Funds may have been spent at the Hoosac Valley Coal and Grain site. ***Motion made by Member Nowak to accept Article 26, second by Member Duval. Roll Call Vote: Chairman Hoyt, Vice Chairman Bush, Members Duval, Blanchard and Nowak. Motion passed.***

It was explained that the Town Meeting Warrant will go to the Finance Committee tomorrow at 5:00 p.m. and it will be a remote-access-only meeting to review it to provide recommendations for Town Meeting members to get information in a timely fashion. Annual Town Meeting is scheduled for 6:00 p.m. at Bowe Field on September 24th. Logistics and coordination of the Town Meeting location, parking, weather, masks, and sanitizing were briefly reviewed and are ongoing. Information will be provided on the Town website. Articles within the warrant, particular zoning, the Smart Growth Overlay Articles 20 and 21 will have some maps on the Town website for Town Meeting Members. *Chairman Hoyt* advised she spoke with the Town Moderator, Town Clerk and Town Administrator to have a Town Meeting Member Workshop.

DEPARTMENT REPORTS

Town Administrator: *Town Administrator Green* reported that next big construction project is the Commercial Street, Route 8. He noted that signage boards are up and September 18th construction will begin. Communications have begun and traffic restrictions will be put out to the public through the course of the project. He announced that the Miss Adams Diner landmark on Park Street has changed ownership and hopefully will open in October. The railroad will resume two tourist trains a day, 1:00 p.m. and 3:30 p.m. and will operate vintage passenger cars. The train will utilize the renovated Adams Station and restrooms have been built. It will hopefully operate through October without further issues of the pandemic, as people are looking to buy tickets. *Member Nowak* emphasized the good news and reported that on Summer Street a donut business will open soon. He saw the sign but had not heard it from any Town official and advised it would be great if they were brought forward to the Board. He inquired about a major sewer breakdown on Winter Street and Town Administrator Green advised the source was on private property and is under order to be repaired. He advised that the Department of Public Works could go in there to repair it and be reimbursed. Concern was expressed that if sewage get into the river there could be trouble. It was clarified that it is not a public function but because of the proximity to the river the Town needed to do it. It was expressed to the land owners it was a courtesy fix of a public safety nature and the Town took some remedial action on this second break. It was noted that some of the businesses opening up are not on the radar because the people know the building model and if there are no zoning needs they quickly go through the process. It was pointed out that Ms. Adams Diner reached out directly to Town Administrator Green. He noted that there has been a little bit of interest in Adams and people are assessing option and calling the Town Administrator to work through health, sanitary, building, and zoning.

Town Counsel: *Town Counsel St. John III* reported that since his last report on August 19, 2020, he responded to a request for advice from the Board of Health, prepared and filed a petition for Further Appellate Review of an Appeals Court decision. He responded to a question from the Town Assessor and met with staff concerning various legal matters. He also reported that he provided advice to the Board of Health regarding the August 19 meeting and provided advice concerning the Town Meeting warrant.

SUBCOMMITTEE AND LIAISON REPORTS: *Member Duval* reported there will be a meeting of Berkshire Regional Planning Commission Executive Committee tomorrow afternoon. He inquired if there will be a Public Safety Sub-Committee meeting in the near future and requested one. He advised he met with the Chief and discussed several items the he would like another discussion about regarding those areas. He noted that retired Chief Tarsa had things to discuss and it gave Chief Bacon the opportunity to ask questions and get information. *Member Nowak* advised that Vice Chairman Bush was not well and he filled in for him at the Parks Commission Meeting at Bowe Field. He noted

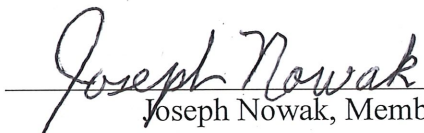
that discussion surrounded all things needed to be done for contact sports under the Governor's protocol. He advised that Covid-19 parameters must be met to continue with sports programs.

ANNOUNCEMENTS AND GOOD OF THE ORDER: *Member Nowak* asked to get Town Administrator Green's review set up and the Board has been told it needs to be done numerous times. Chairman Hoyt advised this was duly noted. *Member Nowak* expressed that he had brought up the request for a frank discussion about overtime issues because costing the community nearly a month ago. Chairman Hoyt advised this was discussed in budget meetings, and asked for five years of budgets. She advised that the Town brought in and Interim Chief of Police and DPW Director who are charged to do assessments and appropriate for the next budget cycle. She advised that this question was asked and answered. *Member Nowak* asked bring in DPW Director Tober and Chief Bacon to advise the Board and the public what the plans are to arrest the overtime funds going out. He pointed out that Lieutenant Briggs was hired to save money and it did not produce any savings. He asked for an update sheet on what the Parking-Animal Control Officer is doing, and noted that she is doing a good job because she gave him a ticket and he thanked her. *Town Administrator Green* advised she was sending the reports directly to him because at the time she had no direct supervision and now she can reroute them to Chief Bacon. *Member Nowak* thanked Town Clerk Meczywor and poll the workers and stated he saw as steady stream of people at the polls going through like a well-oiled machine. He noted that the location was unsafe because people have to cross the street and there are traffic cones so he would like to see the Town work on having voting at the Memorial School Building where parking is better and it is off the main thoroughfare. He pointed out it is a large space that doesn't require the DPW to take out all of its equipment. He praised Chief Bacon for coming to meetings, showing interest, and speed up his learning curve. *Chairman Hoyt* announced that Chief Bacon has signed himself and police department up to participate in the Elizabeth Freeman Center "Walk a Mile" event being held virtually. The Chief is leading the team on September 16th at 12:00 p.m. to help with donations. She noted that it has been twelve years since the department has participated, and she thanked Chief Bacon for his participation. *Chief Bacon* is working on National Night Out for October 6th. Chief Bacon advised he is working on this in cooperation with the Council on Aging to have "Coffee with a Cop" on October 7th. More information will be available as it unfolds. *Chairman Hoyt* thanked Williams College and Mass MOCA for helping the Town to participate on August 26th to recognize the 19th Amendment and light town hall in purple and gold which are the Suffragette colors for one night to honor the anniversary.

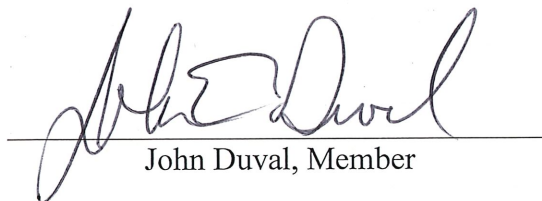
ADJOURNMENT: *Motion made by Member Nowak to adjourn the meeting, second by Member Blanchard. Vote: unanimous. Motion passed. Meeting adjourned at 8:47 pm*

Respectfully Submitted by Deborah J. Dunlap,

Recording Secretary


Joseph Nowak, Member


Christine Hoyt, Chairman


John Duval, Member


Richard Blanchard, Member