

## ***Town of Adams Massachusetts 01220-2087***

### **BOARD OF SELECTMEN**

TOWN HALL BUILDING  
8 PARK STREET

### **Wednesday, September 16, 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 and Nowak. Also in the room were Town Administrator Green, Interim Chief Bacon, Scott McWhirt and his spouse. Attending remotely Town Counsel St. John III and Cathy Marin, Mike Geary of O'Geary's Package Store, Catherine Foster, Tammy Daniels, Code Enforcement Officer Blaisdell, Neel Patel, Attorney Matthew Porter representing Aneeliquor, Inc. Priyanka Patel, Sunil Patel, and Community Development Programs Manager Ferguson.

**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 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 19, 2020, August 25, 2020, August 27, 2020, September 2, 2020*

meetings were presented for approval. *Motion made by Member Duval to waive reading and approve the minutes for August 19, 2020, August 25, 2020 and September 2, 2020 as presented, second by Member Nowak. Chairman Hoyt, Members Duval, and Nowak. Motion passed.*

*Motion made by Member Nowak to waive reading and approve the minutes for August 27, 2020 as presented, second by Member Hoyt and Member Nowak. Abstention by Member Duval. Motion passed.*

### **PUBLIC COMMENT:**

### ***Join Zoom Meeting:***

<https://zoom.us/j/97710814510?pwd=Tm9YUDdIVmU5UDkyN1MyTHVsR1pwQT09>

Meeting ID: 977 1081 4510; Passcode: BOS0916

**Dial In:** 1 (929) 436-2866; Meeting ID: 977 1081 4510; Passcode: 3014165

RECEIVED-POSTED  
20 OCT -8 PM 3:55  
TOWN CLERK  
ADAMS MASS.

## **PUBLIC HEARING:**

*Transfer of All Alcohol Package Store License from O'Geary's Package Store, Inc., 60 Commercial Street, Adams, to Aneeliquor, Inc., dba O'Geary's Package Store, 60 Commercial Street, Adams, 7:10 p.m.*

***Motion by Duval to enter into Public Hearing, second by Member Nowak. Vote: unanimous. Motion passed.***

Chairman Hoyt advised Town Counsel St. John III reviewed the application and approved it to move forward. Attorney Porter, represented Aneeliquor Inc. and it was noted that the applicants were present on the call. It was explained there are no major anticipated changes to the operation and the applicants are experienced licensed operators and own other stores in Williamstown and North Adams that understand the responsibilities of running the operation. A Pledge of License was also included. It was noted that separate votes were required to approve each item. Pledge of Collateral was explained. Mike Geary advised the sale and transfer so far seems to be running smoothly. The callers on the line were invited to provide questions or comments and none were noted.

***Motion made by Member Duval to close public hearing, second by Member Nowak. Vote: Unanimous. Motion passed.***

***Motion made by Member Nowak to approve the transfer of the All Alcohol Package Store License from O'Geary's Package Store, Inc. to Aneeliquor, Inc. dba O'Geary's Package Store, second by Member Duval. Vote: unanimous. Motion passed.*** Board Members welcomed the Patels to Adams and thanked the Geary family for many years of business.

***Motion made by Member Duval to approve pledge of license as collateral to Bank of Hope, second by Member Nowak, unanimous. Motion passed.***

**PUBLIC COMMENT:** *There were no comments made.*

**CHAIRMAN'S REMARKS:** *Chairman Hoyt expressed heartfelt remarks about the loss of colleague and fellow Board Member, Vice Chairman Bush. Member Duval gave personal remarks about his experiences with Vice Chairman Bush and how he was inspired by him and his public service, will miss him terribly and will try to follow in his inspiration of being a great Selectman. Member Nowak recounted his interactions with Vice Chairman Bush, how he always said hello and asked what was needed and was a polite person. He noted in their frequent communications over the last two months that Vice Chairman Bush was strong in his faith, dedication to family, friends, volunteering and most importantly was devout in his religion and to the Lord. He expressed heartfelt condolences to Vice Chairman Bush's wife and family and noted that he surely will miss him.*

## **NEW BUSINESS**

**Appointment of Adams Housing Authority Tenant Board Member, Adele Hale.** *Chairman Hoyt read a letter from the Adams Housing Authority requesting Adele Hale be appointed as a Tenant Board Member. Motion made by Member Duval to appoint Adele Hale to Adams Housing Authority Tenant Board Commission, second by Member Nowak. Vote: unanimous. Motion passed.*

**Information about the November Election:** *Town Clerk Meczywor advised Election Day is November 3, 2020 and a post card was sent in the mail. She noted if citizens wish to vote by mail, they should sign and mail it back to the Town Clerk's office for a Ballot to be mailed to them.*

RSVP to the Town Clerk at 743-8300 x176 by Thursday, September 17<sup>th</sup> and to use the Old Columbia Street entrance. Participants are asked to wear a face covering and to practice social distancing. He thanked staff and the Agricultural Fair personnel for assistance with logistics for Town Meeting. He reported that he, Chief Bacon and the Adams Police Department participated in the annual "Walk a Mile" successfully from the Police Station to Town Hall. He thanked Chief Bacon for organizing it and noted it was a lot of fun to support the event. He noted that the Route 8 Project has a billboard up on the Commercial Street corridor as there will be traffic implications. Information will be updated on the Town Facebook Page or the Town Webpage under the Construction tab at least once a week to keep citizens informed and up to date. Concern was expressed about people driving at high speeds on West and East Roads and it was noted that the Police Department is sensitive to the situation and has repaired the mobile speed unit to be aware of it as the project goes forward. Road conditions will be monitored and looked at as well. Citizens were requested to be aware and have patience. Town Administrator Green explained that Grant Street is mobilizing new drainage culverts and other activity. He noted there will be a walk through of the Memorial School Building with the DPW and the Building Commissioner and will update the Board. He pointed out that there has been positive feedback on how beautiful the downtown is and tomorrow the fall flowers will be planted. Valley Street drainage issues were briefly discussed and noted as being a piping mismatch which will be corrected. *Member Nowak* noted he was happy to see Berkshire Scenic Railway running again and there were good ridership numbers. It was explained that Covid-19 protocols are in place and volunteer help is needed. It was pointed out that a very dedicated group of people keep the traditional passenger cars running and the Train Station restrooms are open.

**Town Counsel:** *Town Counsel St. John III* expressed sorrow for Vice Chairman Bush's passing and noted that he was a good man that had done a lot for Adams. He reported that he responded to a request for advice from the Board of Health, reviewed a complaint for a violation of the Open Meeting Law, reviewed an application for a liquor license transfer, reviewed a complaint for judicial review and attended the Board of Health hearing.

**SUBCOMMITTEE AND LIAISON REPORTS:** *Member Duval* explained that the extension of the Ashuwillticook Rail Trail from Lime Street to Hodges Cross Road has not been forgotten, and though there have been some roadblocks it is back on track. He noted that engineering is working toward 25% and the Town is working to get it on the Transportation Improvement Plan (TIP), where will be identified for state funding sources. He noted that will take some time and contracts need to be signed but work is being done on the final leg of the trail. He reported that the \$7 Million Route 8 Project is coming to fruition after many years and that work is being done through the Metropolitan Planning Organization (MPO) and District 1 on the northern Route 8 section which has deteriorated over time. He noted the plan to go back to a two-lane system with turnarounds. He pointed out that the Town of Adams is committed to making beautiful entrances to the community and to slow people down to see and enjoy Adams. He explained that it may take eight years to get this through and he is focusing on the roads and working with both MPO and Berkshire Regional Planning Commission (BRPC). *Member Nowak* advised he attended the Park Commission meeting where there was a soccer presentation by Celia Norcross. He said there was discussion on the Russell Field Project and noted concern about home plate being moved up 8 feet and the pole in center field being an obstruction. He explained that DPW Director Tober measured the distances and it should not be a problem. He reported that they wanted lighting but a quote of \$91,000 was received and there will be fundraising done. He advised that tomorrow there will be a Zoom call on the full membership of the Mohawk Trail Woodlands Partnership (MTWP) and Adams has the potential to receive \$20,000 for the community.

**ANNOUNCEMENTS AND GOOD OF THE ORDER:** *Member Nowak* advised he liked how the staff was taking care of the Town Hall grounds. He noted that branches were taken off the beech tree, which is one of a kind, and recommended an arborist take a look at it to preserve it as the tree is having trouble. He also noted there were a few more cases of Covid-19 reported in town. *Town Administrator Green* clarified that there were four or five but he didn't know the epidemiology and the Town is still in the grey level, which is dependent upon number of cases. He noted that it is natural for every community that has reports to be monitored. He reminded citizens to wash their hands, wear masks, practice social distance and to be cautious so they may try to stay healthy. He pointed out that if there was a rapid spike in cases the Town will get out in front of it while maintaining people's privacy. *Member Nowak* reported that the schools are required to have a flu shot unless there is a good reason not to, and he encouraged people to get their flu shots to help the medical staff to be able to determine Covid-19 from the flu. *Chairman Hoyt* advised that Town Meeting Members should have received the Warrant in the mail. She reported that there was a dangerous dog hearing in which a decision by the Board of Selectmen was rendered and the family of the dog has filed an appeal to be held on October 9, 2020 which has been given to Town Counsel. She reported for those having audio issues through Spectrum they should contact Spectrum Support at (833) 780-1880 to report it.

**EXECUTIVE SESSION: #6)** *To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body;*


- *Review Subordination Agreement of Housing Rehabilitation Program Real Property Lien*


*At 8:29 p.m. Motion made by Member Nowak for reason #6 as read aloud to enter into Executive Session, second by Member Duval. Roll Call Vote: Chairman Hoyt, Members Duval and Nowak. Motion passed.*

*At 8:41 p.m. Motion made by Member Duval to exit Executive Session, second by Member Nowak. Roll Call Vote: Chairman Hoyt, Members Duval and Nowak. Motion passed.*

**ADJOURNMENT:** *Motion made by Member Nowak to adjourn the meeting, second by Member Duval. Vote: unanimous. Motion passed. Meeting adjourned at 8:41 p.m.*

Respectfully Submitted by Deborah J. Dunlap,  
Recording Secretary

  
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Joseph Nowak, Member

  
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John Duval, Member

  
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Christine Hoyt, Chairman