



Town of Adams Massachusetts 01220-2087

BOARD OF SELECTMEN

TOWN HALL BUILDING

8 PARK STREET

Wednesday, October 7, 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, Interim Chief Bacon, Town Counsel St. John III, Town Clerk Meczywor and Peter Oleskiewicz of Miss Adams Diner, Peter Gentile of NBCTC. Attending remotely and Kim Roberts, Attorney Brennan representing Gebirgs Verein dba Mt. Club, Lea Cudworth of Gebirgs Verein dba Mt. Club, Dr. David Rhoads, Board of Health Chair, Mark Blaisdell, Code Enforcement Officer, Jack Guerino of iBerkshires, and 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. 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 *September 16, 2020* meeting was presented for approval. *Motion made by Member Duval to waive reading and approve the minutes for September 16, 2020, as presented, second by Member Nowak. Abstention by Member Blanchard. Voted in favor were Chairman Hoyt, Members Duval and Nowak. Motion passed.*

**PUBLIC COMMENT:**

*Join Zoom Meeting*

<https://zoom.us/j/93398267396?pwd=cGVyczlrLzdOYWlYa2F6VVJZKytJZz09>

Meeting ID: 933 9826 7396; Passcode: BOS1007

*Dial-In:* 1 (929) 436-2866; Meeting ID: 933 9826 7396; Passcode: 0202348

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

**NEW BUSINESS**

**Election of Vice Chair:** *Motion made by Member Nowak to nominate Member Blanchard for the Vice Chair position, second by Member Duval. Voted in favor were Chairman Hoyt, Members Duval and Nowak. Abstention by Member Blanchard. Motion passed.*

**All Alcohol Club Change of Manager Application:** Gebirgs Verein dba Mt. Club, 6 Anthony Street, Adams, MA from Richard Ziarnik to Lea Cudworth. *Chairman Hoyt* reviewed the reason for the change and advised that Attorney St. John III has reviewed the application. *Attorney St. John III* advised that a former person on the application was recommended by ABCC not to be involved and situation has since been cleared up. It was noted that the Licensing Sub-Committee reviewed the application and approved it to move forward. *Attorney Brennan* reviewed the application was due to the passing of Richard Ziarnik and noted Lea Cudworth will take on the position. ***Motion made by Member Blanchard to approve the Change of Manager application for Gebirgs Verein dba Mt. Club at 6 Anthony Street, Adams, MA from Richard Ziarnik to Lea Cudworth, second by Member Duval. Vote: unanimous. Motion passed.***

**Application for Common Victualer License:** Peter Oleskiewicz, PJO Corporation dba Miss Adams Diner, 53 Park Street, Adams. *Chairman Hoyt* reviewed the Common Victualer License application. Town Administrator Green noted this is an iconic business and landmark property on Park Street and Mr. Oleskiewicz worked carefully through the process with the Town to bring it back to life. Peter Oleskiewicz advised he hopes to have the business back in service by the end of the month. The menu and list of vendors are being put together to provide basic diner food, as was originally intended. Brief discussion of the façade took place and it was noted the brickway is part of the footprint that may have picnic tables with umbrellas and flowers. *Town Administrator Green* advised there was \$25,000 in a Shared Streets Grant and he believed the Community Development Department has six or eight four-person heavy metal tables for Armory Court for use by the Daily Grind and the Miss Adams Diner. ***Motion made by Member Blanchard to approve the Common Victualer License for Peter Oleskiewicz, PJO Corporation dba Miss Adams Diner, second by Member Nowak. Vote: unanimous. Motion passed.***

**Application for Placement of Temporary Sign on a Public Way:** *Vote for Susan, Virginia Duval, on various Town properties, October 24, 2020 to November 4, 2020.* *Chairman Hoyt* reviewed the paperwork. *Member Nowak* advised there are signs at McAndrews Insurance and at the Susan B. Anthony Birthplace Museum Fridays through Sundays for purchase of private lawn signs and buttons with the proceeds going to the Adams Suffrage Centennial Celebration Committee. ***Motion made by Member Nowak to approve placement of Temporary Signs on Town property between October 24, 2020 to November 4, 2020 in coordination with the Town Administrator's Office, second by Member Blanchard. Vote: unanimous. Motion passed.***

**Approval of November 3, 2020 Election Warrant:** *Town Clerk Meczywor* reviewed the 2020 State Election Warrant for polls which open Tuesday, November 3<sup>rd</sup> from 7:00 a.m. to 8:00 p.m. She read the content of the ballot and noted that information on the questions is in the red voter booklet, which can be gotten by calling the Town Clerk Office if one was not already received. ***Motion made by Member Blanchard to approve the November 3, 2020 Election Warrant as provided, second by Member Duval. Vote: unanimous. Motion passed.***

*Town Clerk Meczywor* advised the ballots arrived yesterday and processing has begun. Precincts 1 and 2 have gone to the Post Office and Precincts 3, 4 and 5 are going out tomorrow. Citizens are requested to mail them in or put them in the Drop Box in front of Town Hall. She explained that ballots are processed through the computer and put in a safe. She noted that she is stopping in at Town Hall on the weekend to put them in the safe and confirmed that the Drop Box is a safe place to put the ballot. She advised that citizens can come to Town Hall for early voting beginning October 17<sup>th</sup> or may go directly to the polls on November 3<sup>rd</sup>. She requested citizens wear a mask and booth and marker sanitizing will be done as quickly as possible. Those who wish to do so may bring their

own pen but it must be black and not red. She explained she will be working with the DPW to create a good traffic flow and confirmed voters may come in at the North Summer Street entrance, and exit onto Crotteau Street. The DPW Garage will be arranged for social distancing of voters, and if people arrive with no mask there will be some on hand. The number of people will be monitored and there may be a tent outside as a staging area if possible in case of inclement weather. She advised her office is mailing out over 1,800 ballots, and there will be two weeks of early voting. She confirmed that if people are still waiting outside at 8:00 p.m. they will still be able to vote. Member Nowak expressed concern about the traffic cones in the center of the road narrowing the roadway and making it very dangerous especially during dark hours. Interim Chief Bacon will look at this. It was explained that traffic cones indicate something is happening there so signage may be put up to indicate the polling location instead to limit the use of cones. The lighting at the DPW will be assessed prior to the election day to be sure they are all in working order as it will be dark out. It was noted that the use of Memorial School for voting was discussed but it was too short a timeframe to make it happen for this election.

**Census Update:** *Town Clerk Meczywor* reported that 70.1% of residents responded to the federal census to date, which is in line for Massachusetts, and above the national average. She noted that self-response is open until the end of the month and those who have not done it yet may go online to fill it out or call the Town Clerk Office for help, or contact the Adams Free Library for use of the public computer. She explained that field Census Workers knocked on doors and are looking at what happened to vacant addresses. She clarified that the numbers include online responses, and that it affects Senators, Representatives and funding for schools. It was noted there is no way to know who did not fill out the census last time and it is hoped that everyone will fill them out to support local funding.

**Halloween 2020:** *Town Administrator Green* noted that Halloween has been affected by the pandemic and the Town wanted to offer some positivity to the town. He reviewed that the Centers for Disease Control and Prevention (CDC) issued parameters at the Federal level, the Department of Public Health (DPH) issued guidelines based on Covid-19 at a state level, and Governor Baker indicated community guidelines are up to the municipalities. He noted that it is not legislated but the Town has organically set Halloween hours. He noted he had attended conference calls and reviewed guidelines on it to review the door-to-door activity, which is considered high risk. He reviewed that proper use of personal protective equipment (PPE) can bring it to low or moderate risk. The Code Enforcement Officer reviewed the suggested plan and determined it to be low risk, which meets the health standards and protects public health as outlined. *Interim Chief Bacon* outlined a collaborative plan with the Town Administrator to utilize the Fire Department, Forest Wardens, the DPW and the Police Department to cover the five precincts. He explained that vehicles would drive through the precincts to greet people in costumes, and distribute candy using masks, gloves, and vehicles sanitized prior to distribution. He requested factory sealed candy donations and noted the intent to bring happiness and community engagement. He pointed out for those interested, if they cannot donate candy, monetary donations are accepted as well by check written out to the Town of Adams and all funds donated to this event will be used for candy. Town Treasurer Rice will be the custodian of the funds. He advised that residents will know if the vehicle is on the street by use of the Public Address (PA) system with Halloween music playing, and vehicles will likely be able to hit the streets more than once. It was noted that for National Night Out the Police Department had the Copsicle Truck out, which helped to preplan the Halloween event. He advised the recommended hours are from 5:30 p.m. to 7:00 p.m. to try to finish by 6:45 because it becomes dark then. *Member Nowak* reported he had solicited and received donations from Walmart, the Adams Hometown Market,

Adams Community Bank, and the Adams Mobile Gas Station for the event. It was noted that going door-to-door was discouraged due to CDC and DPH guidelines so the Town was providing a safe alternative. It was explained that some people still want to participate and it exposes the house to the possibility of transmission into the households and the Town is trying to eliminate that possibility. It was explained it would be one-on-one contact at the curb with masked participants to allow the interaction to be much less than the guidelines. It was noted that the plan is to have two people in vehicles to take care of both sides of the road and volunteers can be assigned to help. Fire Chief Pansecchi and the Alert Hose Company were thanked for reaching out and providing at least four pieces of apparatus. It was noted that for safety and kids coming out of houses it may be wise to stop the car and go to them for safety. It was noted that the goal was that all kids get candy so donations were encouraged by 5:00 p.m. on October 31<sup>st</sup> but a week before would be better to allow for time to distribute it out accordingly. Dr. Rhoads commended Interim Chief Bacon and the administration for providing this alternative and endorsed the initiative from the Board of Health standpoint. He emphasized the importance to avoid large indoor gatherings and traveling to other municipalities as each municipality has its own protocols. ***Motion made by Member Duval to endorse the plan as outlined and to set Halloween hours from 5:30 p.m. to 7:00 p.m. on October 31, 2020, second by Member Blanchard. Vote: unanimous. Motion passed.***

## **DEPARTMENT REPORTS**

**Town Administrator:** *Town Administrator Green* reported that the Town was hit this evening with a sudden storm that caused damage on Crotteau Street, Summer Street and East Road areas. The DPW was mobilized to address storm related issues and he thanked the Forest Wardens, their Chief and Emergency Management Director Kleiner for mobilizing them and getting the needed equipment. Police Officer Baker reported that all downed wires were protected by Town staff to prevent electrocution and there were no injuries reported but only localized damage. He reported that National Weather Service will confirm whether it was a microburst and the DPW. He advised that MassDOT reported that the Ashuwillticook Rail Trail will reopen on Friday. He reported that the Commercial Street project is underway and will have periodic lane closures with undersurface work so expect some delays. He noted that there is a tab on the Town webpage for the most recent news on projects. He reported there was great information on the Russell Field project regarding the lighting portion. He noted the Town was not able to do the field house and lighting was a question. He reported that as of tonight the Town was able to run new conduit up to the poles and is \$5,000 short of refurbishing the lighting. It is not clear how the Town will be able to make up the difference on the budget, and brainstorming is being done with staff. He advised there may need to be a plea made to the athletic groups to help out with fundraising. He gave an update on the Town Common project and reported a successful installation of the Susan B. Anthony statue last week. He noted that the plan is to allow the contractor to install ground pavers in the area around the statue. If possible there will be a dedication ceremony before the weather turns. He reported that the Valley Street drainage project is underway. He advised that Adams has had five new cases of Covid-19 in last 30 days but the Town is still in the “gray” level. He warned that the statistics can turn and reminded everyone to remember to socially distance, wash hands, wear masks and avoid gatherings. He noted that Hoosac Valley Regional School District Superintendent Dean has been in touch with the Board of Health and they are working together to stay in good shape. He reported that there are no violations seen in the local establishments. Clarification was requested on the cost of the Valley Street project work and an update will be forthcoming from Community Development. It was noted that the required number of test pits exceeded what was contracted and the DPW was deployed to do some. It was explained that this is an older community with old plans and the contractor could not identify where they were.

It was noted that substantial work will be done to address the drainage issues. It was noted that all projects have been a little bit over cost and Community Development staff and the Town Accountant have been able to find the necessary funding. It was explained that most of the funding is the Storm Damage Rehabilitation bond money and part of it was grant.

**Town Counsel:** *Town Counsel St. John III* advised that since his last report he responded to a request for advice from the Board of Health, he responded to a citizen's request for public records, he filed a formal response to a complaint for violation of the Open Meeting Law, and reviewed an application for a liquor license transfer. He reported he filed a motion to dismiss a complaint for judicial review, he attended the Board of Health hearing on September 30, 2020, he participated in a meeting in preparation for a hearing before the District Court concerning the recent dangerous dog matter that this Board heard and he reviewed and responded to a private citizen's boundary line complaint.

**SUBCOMMITTEE AND LIAISON REPORTS:** *Chairman Hoyt* advised that Member Duval will be serving as an Alternate Member to the Metropolitan Planning Organization, which is up for election every two years, and thanked him for his willingness to continue this work. She reported the Licensing Sub-Committee met and reviewed the Change of Manager application presented this evening. She noted that another license transfer is being reviewed and will be on the October 21<sup>st</sup> agenda. She explained there is also one more piece of business with O'Geary's Package Store transfer which is hoped for October 21<sup>st</sup> as well. She reported the Sub-Committee reviewed the renewal process for 2021 and started the discussion on fees. The Sub-Committee reviewed a BYOB draft and sent it to Town Counsel and Chief Bacon for review and input. She noted that it may come before the Board next month. *Member Duval* reported that Crotteau Street looks great and extra effort was made to ensure driveways and sidewalks have water run off of them. There are a couple things left to be fixed. Some brand-new signage had been damaged in the storm tonight by trees down. It was noted that Valley Street had old tunnels with arches. Russell Field was reported as looking great and when it is done no vehicles will be allowed on the field except emergency vehicles. The turf was described as having filled in nicely and the community can use the field once construction is completed as it is not fenced in. *Vice Chairman Blanchard* reported in addition to attending the Licensing Sub-Committee meeting, he also attended the Public Safety Sub-Committee meeting. He advised that there was a good discussion on the next budgets as overtime has been high and it is being looked at for reduction. *Member Nowak* thanked Member Duval and Vice Chairman Blanchard for looking into overtime costs at the Police Department and DPW. He advised he attended the Parks Commission meeting where discussion surrounded lighting. He noted he was happy to hear about the conduit being installed underground and extended and funding for lighting is a focus. He reported there was some talk of youth football but there was not an application for field use brought forth yet. He noted that concern was expressed by DPW Director Tober that along the 3<sup>rd</sup> baseline the sand accumulated water after heavy rain. He recalled that historically there has been a problem on the left field line due to a spring that emanates there and they are looking at a different type of sand to rectify the problem.

**ANNOUNCEMENTS AND GOOD OF THE ORDER:** *Member Nowak* advised that he was happy at the results of Town Meeting but expressed that it seemed like it was choreographed and Town Meeting Members should be given more credit. He noted that John Cowie taught him a few things about 40R, and expressed disapproval about blankets being given out by General Dynamics and 1Berkshire. *Chairman Hoyt* responded that as an employee of 1Berkshire she was disappointed to hear his concerns and advised that they were asked to speak about economic development as a tool for the Town of Adams. She reported that the former Town Administrator spoke and was very transparent as he was an economic development specialist who was asked to speak at the meeting.

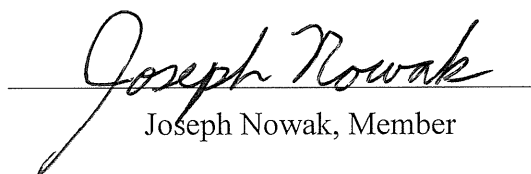


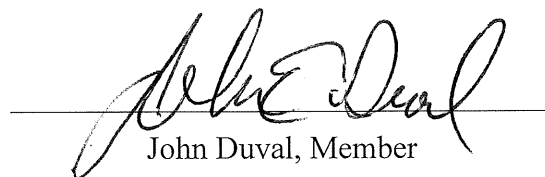
She clarified that 1Berkshire does not control 40R but instead brings speakers into the area and has connections with the state. She pointed out that at the Town Meeting Member Workshop, Town Meeting Members that attended and got cold so General Dynamics, whose logo was on the blankets, donated those that were left over from a previous event and it was the Moderator's choice to have them made available. The number of meetings that took place to schedule and plan Town Meeting was discussed and it was noted that there were several meetings that took place for the logistics of the Town Meeting and the content of the workshop, as well as 40R public hearings and individual meetings at people's houses. *Member Nowak* inquired when the Town Administrator will get a review and it was explained that the review would have been in April, which was in the middle of the pandemic and it was intended to be done by the end of summer. It was explained that other communities and the Massachusetts Municipal Association (MMA) were contacted to get input. The goals set by the Board last summer were being utilized and the Chairman personally handling the technology for over sixty town meetings on zoom and which required her time several hours before and several hours after to handle the meetings around a full-time job was an impact. It was pointed out that a tool was put together last week and it was put before other people to proof to be sure it is a fair tool. *Member Nowak* asked for an updated on the Public Safety Committee agenda item regarding a review on the Interim Police Chief. *Chairman Hoyt* reminded citizens if they are experiencing trouble with the sound on the televised meeting to contact Spectrum Customer Service at (833) 780-1880. Interim Chief Bacon was thanked for inviting Board Members to "Coffee with a Cop". She thanked those that organized Town Meeting event, including the Town Clerk, DPW, Town Administrator, Code Enforcement Officer, Town Moderator and Chuck Felix, who made sure restrooms and lights were available at the selected space. Appreciation was given to the audio and tent companies and the Town Meeting Members who attended. It was noted that there would not be a workshop or meeting next week.

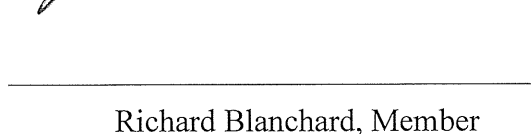
**ADJOURNMENT: Motion made by Member Blanchard to adjourn the meeting, second by Member Duval. Vote: unanimous. Motion passed. Meeting adjourned at 8:35 p.m.**

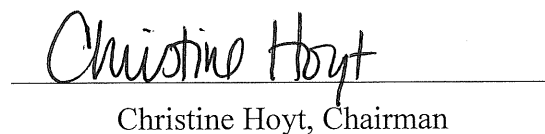
Respectfully Submitted by Deborah J. Dunlap,

Recording Secretary

  
Joseph Nowak, Member

  
John Duval, Member

  
Richard Blanchard, Member

  
Christine Hoyt, Chairman