

TOWN OF ADAMS

BOARD OF SELECTMEN MEETING MINUTES

WEDNESDAY, May 3, 2017 – 7:00 PM
ADAMS TOWN HALL, 1st FLOOR, ADAMS, MA 01220

On the above date the **Board of Selectmen** held a meeting at the Adams Town Hall at 7:00 p.m. Vice Chairman **John Duval** presided the meeting. Present were **Members Joseph Nowak, Richard Blanchard and Christine Hoyt**. Also in attendance were **Town Administrator Tony Mazzucco** and **Town Counsel, Ed St. John III**.

The Board of Selectmen Meeting was called to order at 7:00 p.m. The Pledge of Allegiance was recited.

REORGANIZATION OF THE BOARD

Vice Chairman Duval requested nominations from Board Members for the position of Chairman.

Motion made by Member Blanchard to nominate John Duval for the position of Chairman

Second by Member Christine Hoyt

Unanimous vote

Motion passed

Chairman Duval requested nominations from Board Members for the position of Vice Chairman.

Motion made by Member Hoyt to nominate Member Blanchard to the position of Vice Chairman

Second by Chairman Duval

Unanimous vote

Motion passed

APPROVAL OF MINUTES

Minutes for March 21, 2017

Motion made by Vice Chairman Blanchard to waive reading and approve the minutes for March 21, 2017 as written

Second by Member Nowak

Abstention by Member Hoyt

Voted in favor were Chairman Duval, Vice Chairman Blanchard, and Member Nowak

Motion passed

PUBLIC COMMENT

Chapter 90 Funds

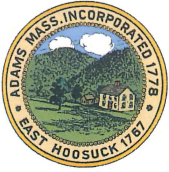
Jeff Lefebvre inquired what the status was of the Chapter 90 Funds.

Town Administrator Mazzucco advised there is a list of streets to be done and he is currently preparing the document. It is also in the capital plan. There is a total amount of around \$400,000 or \$500,000.

Welcome to Board of Selectmen Member

Jeff Lefebvre welcomed Christine Hoyt to the Board of Selectmen.

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TOWN OF ADAMS BOARD OF SELECTMEN MEETING MINUTES

Legal Update Request

Jeff Lefebvre inquired what the status was of a lawsuit regarding a sewer backup issue on Upton Street.

Town Administrator Mazzucco advised he is not aware of it, and he also cannot discuss legal matters.

Adams Arts Advisory Board

Francie Anne Riley advised that there are a few things coming up. She clarified that the Adams Arts Advisory Board (AAAB) is a not-for-profit 501(c)3. The next piece of art going up on the Visitors Center is a painting of the mountain. Photography is done and information will be upcoming. The Berkshire Mountain Faerie Festival is moving forward with performances beginning June 17, 2017 at 10:00 a.m. to 10:00 p.m. at Bowe Field. The AAAB is still involved in the BagShare project, is half way to its goal and will be doing the program throughout the summer. Advertisements will go out when bag making session take place and residents may come to Town Hall to pick up bags in the lobby. May 12, 2017 at 2:00 p.m. there will be a celebration at the Adams Train Station with a celebration and ribbon cutting with state officials.

Sewer Maintenance

Donald Graves and Dan LaPlante of Grandview Terrace brought forth a petition signed by 13 people regarding the sewer line on Grandview Terrace. He noted five incidents of sewerage backing up into homes causing considerable damage and asked what the Town could do to prevent future occurrences. He asked for the sewer main to be checked by camera and said it is not enough for the Town to just do unplugging.

Town Administrator Mazzucco advised in December the DPW replaced 12' of pipe and found a rock jamming the pipe. He noted that it was jetted today and looked good; it is done every three months and is on a regular maintenance list. He stated he will have the entire Grandview line viewed by camera and backflow prevention on the junctions or other fairly reasonable solution may be available. He explained that the Town does not have the camera technology and has to borrow the camera.

ACTION ITEM – camera view the entire Grandview line.

Bike Trail Celebration

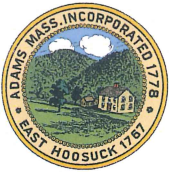
Chief Tarsa announced on behalf of Skip Harrington that the Bike Trail Celebration will be held on May 12th from 2:00 p.m. to 4:00 p.m. The westbound land adjacent to the event will be shut down and the road will be open to E/B traffic for emergency traffic, deliveries and school buses. Up to 400 people are expected.

Handicap Placards

Chief Tarsa advised that May 6th through May 13th is statewide placard misuse prevention week specifically for Handicap Placards. There are handicap parking places around town in Dunkin Donuts, McDonalds, and Big Y, and many of those parking there have expired placards or placards that are not for the operator. He advised the public to get placards up to date and not to abuse the privilege.

Local Crime

Chief Tarsa asked citizens to please lock cars as numerous cars have been entered over the last several weeks that have been unlocked. Memorial Day weekend creates a lot of activity in cemeteries, and if tending a grave please do not leave valuables in unsecured vehicles unattended.



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Taxes and Land Ownership

Mr. Malloy raised a question about land he has been maintaining since 1992 that has been slated for auction. He noted that he had gotten it from the Federal Government the dimensions are not correct.

Town Administrator Mazzucco explained that the Town owned it since 1982 and Mr. Malloy claimed he owned it by eminent domain, but the tax title attorneys say Town owns it free and clear.

Chairman Duval recommended Mr. Malloy have his attorney contact our tax title attorneys to look at it.

PUBLIC HEARING

Public Hearing regarding the Application for Wine and Malt License by Yun Lin Food Service, Inc. dba Lee's Dynasty Asian Fusion, 131 Columbia Street, Adams MA 01220, 7:10 p.m.

Motion made by Member Blanchard to open the Public Hearing for Yun Lin Food Service, Inc. dba Lee's Dynasty Asian Fusion

Second by Member Hoyt

Unanimous vote

Motion passed

The Show Cause Hearing commenced at 7:10 p.m.

Attorney Jeff Lynch, 68 Main ST Lenox represented Xing "Cindy" Li, the applicant for issuance of an annual new Wine & Malt license. He explained the building is owned by Xing Li and her business partner and the building is being renovated under the review of the Building Commissioner. The expected restaurant opening of late July or August for lunch and dinner hours from 11:00 a.m. to 10:00 p.m. on weeknights and 11:00 p.m. on weekends. The applicant lives in North Adams, has no criminal record, is an American citizen, is TIPS certified and is applying to be a first time manager under a liquor license. The building has three entrances and exits, is 2300 square feet and there is a 42 seat seating capacity for the restaurant. It is a brand new restaurant asking for approval of issuance of the license.

The public was asked for their concerns or comments regarding the license.

Corinne Case of 17 East Road in Adams advised she is thrilled to have this new business in Adams and welcomed Xing Li.

Motion made by Member Blanchard to close the Public Hearing for Yun Lin Food Service, Inc. dba Lee's Dynasty Asian Fusion

Second by Member Hoyt

Unanimous vote

Motion passed

Board Members welcomed Xing Li to Adams and noted that business is important to the corridor and this restaurant in town is appreciated.



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Motion made by Member Blanchard to approve the Wine & Malt Restaurant License for Yun Lin Food Service, Inc. dba Lee's Dynasty Asian Fusion

Second by Member Hoyt

Unanimous vote

Motion passed

NEW BUSINESS

Recognition of Chief Goyette

Fire Chief Paul Goyette was recognized for 37 years of service as an outstanding Chief, dedicated to long nights, hard calls and great service to the Town. He was thanked on behalf of the Town for outstanding service to community. He was given best wishes for the future.

Chief Goyette gave kudos to Department Members and noted at the time of the meeting this evening they responded within 6 minutes of the request for response for a car fire and at 7:11 p.m. the fire was out. He expressed they could not have done any better.

Motion made by Member Blanchard to approve the Public Service award to Chief Paul "PJ" Goyette

Second by Member Hoyt

Unanimous vote

Motion passed

Basketball Hoop on Bob's Hill Road

Town Administrator Mazzucco advised he had received a complaint about the basketball hoop on Bob's Hill road, which had been handled in past with no action to be taken. He advised there was a request to appeal the decision, and he brought the issue to the Board of Selectmen meeting. Emails and letters from homeowners were provided to the Board Members. Michelle Purcell asked to be on the agenda and was informed by letter and email of the meeting but is not in attendance. Residents on the street were notified by letter.

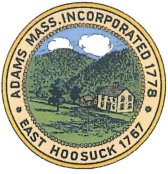
Chairman Duval noted that since the complainant is not in attendance he recommends no action.

The Public was invited to give comments and concerns regarding the basketball hoop.

Tammy Scalise of 6 Bob's Hill, the house next to the basketball court told the Board that she wanted an option for a place for children to play and also wants to see the complainant respected because she is a tax payer. She shared that often there are 15 kids playing on the court, and the complainant should be able to come home to a peaceful abode, but she doesn't want this issue to escalate because the woman is selling her house. She stated if the kids respect both sides there could be a compromise.

Amanda Zepka of River Street in Adams inquired if there was a curfew in town to appease both sides.

Police Chief Tarsa advised there is no curfew, however for a noise disturbance regardless of the time of day call the Police Department. He noted this was the only complaint in 17 years. He pointed out that Bob's Hill is a dead end and does not have a high volume of traffic. If kids are yelling, screaming and swearing at residents contact the Police Department to tell them what proper conduct is.



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Roland Rylander of 1 Bob's Hill stated he is a 10 year resident with two young boys and that music and language should not be a litmus test. On summer evenings, families are out there from 5 years old through teens, parents and grandparents and he doesn't believe it diminishes the quality of the street.

Tammy Scalise clarified she was just asking for respect the people that live around there.

Zach Zaleski of 17 Bob's Hill noted that teenage kids swear sometimes and play there daily until 8:00 or 9:00 p.m.

Don Lemire of 5 Bob's Hill said he keeps track of the kids and mows. He teaches the kids to have respect and watch their language and shoots hoops with his own little girl there. He stated he would rather have kids doing that than going into the woods or other things.

Board Members commented that everyone that spoke were willing to oversee the activity, respect others and take care of the community. It was pointed out that it is good for kids to get exercise, and that Michelle Purcell was given an opportunity to appear and showed no response.

Motion made by Vice Chairman Blanchard to make no change to the basketball hoop on Bob's Hill

Second by Member Nowak

Unanimous vote

Motion passed

Proclamation for Children's Mental Health Week

Corinne Case announced that she is on a committee called *Systems of Care* that advocates for children and adolescents. She read a document about youth with mental illnesses, suicide, and diagnosable and treatable conditions. She referred those looking for information to contact the *National Alliance for Mental Illness* "NAMI" at (413) 443-1666.

Chairman Duval read a proclamation announcing May 7, 2017 to May 13, 2017 to be Children's Mental Health Week and presented it to Corinne Case.

Member Nowak noted the stigma of mental illness is a big problem and many parents don't want to bring it forward.

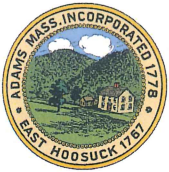
Corinne Case announced there will be a "stand-out" at North Adams City Hall tomorrow at 5:30 p.m. She noted anyone with concerns or questions can call NAMI on the 24-hour hotline. Sunday, May 7th at UNO Center at 1:30 p.m. there will be an event with music and a walk with representatives there.

Motion made by Member Hoyt to approve the proclamation of Children's Mental Health Week from May 7, 2017 to May 13, 2017

Second by Vice Chairman Blanchard

Unanimous vote

Motion passed



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One Day Liquor License Application – BART Charter School

Leah Thompson of BART Charter School gave an overview of the fundraising event.

Motion made by Member Hoyt to approve the One Day Liquor License for July 7, 2017 for BART Charter School

Second by Vice Chairman Blanchard

Unanimous vote

Motion passed

Facility Use Request – Visitors Center, Adams Historical Society/Commission

Town Administrator Mazzucco advised all paperwork is in order and this is a concert series with the *Berkshire Eagles Band* on July 23, 2017 from 1:00 p.m. to 5:00 p.m.

Motion made by Member Nowak to approve use of Visitors Center to Historical Society/Commission on July 23, 2017 from 1:00 to 5:00 p.m.

Second by Member Hoyt

Unanimous vote

Motion passed

Facility Use Request – Greylock Glen, Western Mass Athletic Club

Town Administrator Mazzucco explained there is an event at the *Greylock Glen* that will go between Town and state property. There are no issues with construction going on. The date is June 18th from 7:30 a.m. to 4:00 p.m. *ProAdams* is hosting an event at the same date and the two are working together.

Motion made by Member Nowak to approve use of Greylock Glen for WMAC June 18th 7:30 a.m. to 4:00 p.m.

Second by Member Hoyt

Unanimous vote

Motion passed

Facility Use Request – Greylock Glen, ProAdams

Amanda Zepka of 12 River St, a Board Member of *ProAdams* and on the sub-committee of *Magical Greylock* advised that Sunday June 18, 2017 there will be a *Magicon* event embracing *Harry Potter* from 1:00 p.m. to 6:00 p.m. with live music, retail and food vendors, and activities for children. A good turnout is expected. The main highlights are the wizard rock band "*Harry and the Potters*" for their 15 year "bandaversary" and *Quidditch*, a football sport of the wizarding world. The hope is to have community involvement. There will be a promotion of a costume contest and a photo booth for commemorative photos. There will be a geocaching element and a demonstration for a treasure hunt around the *Greylock Glen*. The plan is for the *Glen Meadow Loop* to be done by then.

Motion made by Vice Chairman Blanchard to approve use of Greylock Glen June 18 2017 11:00 a.m. to 7:00 p.m. by ProAdams

Second by Member Nowak

Abstention by Hoyt

Voted in favor were Chairman Duval, Vice Chairman Blanchard and Member Nowak

Motion passed



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Facilities Use Request – Greylock Glen, Boy Scouts Troop 38

This request was tabled at the April 19, 2017 Board of Selectmen Meeting.

Motion made by Vice Chairman Blanchard to take off the table the Facilities Use Request for the Greylock Glen by the Boy Scouts Troop 38 for May 5-7, 2017

Second by Member Nowak

Unanimous vote

Motion passed

Brendan Tatro represented the request to use *Greylock Glen* on May 5, 2017 to May 7, 2017 and addressed the Board with the general outline for the weekend. There will be a “search and rescue” or “stranding” situation and instruction on what to do to survive. Support is anticipated by the Forest Wardens and Adams Ambulance on Saturday evening until just past dark. There will be camping and the Scouts will provide cleanup. This will take place in the gazebo area and upper field, and there will be no ground fires. The updated insurance document was provided.

Motion made by Member Nowak to approve the use of the Greylock Glen by the Boy Scouts Troop 38 from May 5, 2017 to May 7, 2017

Second by Vice Chairman Blanchard

Unanimous vote

Motion passed

Ratification of Council on Aging Board Member

Town Administrator Mazzucco outlined that he was requested by Council on Aging Director Erica Girgenti to add Greg Onorato to the COA Board.

Motion made by Member Nowak to approve Greg Onorato as a Member on the COA Board

Second by vice Chairman Blanchard

Unanimous vote

Motion passed

Mr. Dupras Request to Install 900’ Sewer Piping, Gould Road

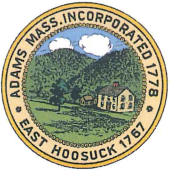
Town Administrator Mazzucco requested this be taken off the agenda and explained it was put on as a precaution but was not needed.

Closing and approval of 2017 Annual Town Meeting Warrant

Town Administrator Mazzucco reviewed the articles and noted once the Board closes the Warrant it is closed.

Town Counsel St. John III advised there must be seven days’ notice prior to the Town Meeting and before publication and notice has been served. The Citizens’ Petition stays and cannot be removed by the Board of Selectmen.

Town Administrator Mazzucco reviewed each Article individually with the Board Members to go over any questions.



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Article 22, which requests an easement to *National Grid* for the landfill for installation of equipment, poles, and lines, was put in as a temporary measure to be taken on next agenda but an easement is required. He noted that the Board of Selectmen can withdraw motions.

Town Counsel St. John III advised he had conversations and proposed a temporary license to give National Grid permission to start work earlier but still want to have the easement to take care of lines and conduits.

Article 23 would allow the Town to exit *Civil Service* and the Board of Selectmen can withdraw this on the floor of Town Meeting. It is still under negotiations and the content is confidential.

Article 24 will accept *Kingsmont Lane* as a public road; will take it up May 22nd; met requirements of DPW;

Town Administrator Mazzucco explained the difference is that once accepted the Town maintains the road if it is in good order and the Town chooses to accept it. The Town already plows it for public safety.

Town Counsel St. John III advised the developer did a lot of work, and obtained release deeds from property owners.

Article 25 requests an easement of 900' along Gould Road for a sewer line.

Article 26 is a Citizens Petition that was received today requesting an emergency amendment to keep Cheshire Elementary School open. This item is not the proper mechanism or form to amend the district agreement.

Town Counsel St. John III advised it is the correct process to get it onto the warrant article but there is a potential conflict as it also represents the Town of Cheshire and he would need to review the agreement. Town Meeting will be held at C.T. Plunkett School on June 19, 2017 at 7:00 p.m. A Town Meeting Workshop will be held a couple weeks before to go over the Warrant Articles.

Motion made by Vice Chairman Blanchard to close the warrant for 2017

Second by Member Hoyt

Unanimous vote

Motion passed

Motion made by Vice Chairman Blanchard to approve the articles of the warrant for 2017

Second by Member Hoyt

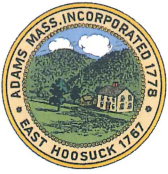
Unanimous vote

Motion passed

SUBCOMMITTEE/LIAISON REPORTS

Mt. Greylock Advisory Committee

Member Nowak advised he attended the Mt. Greylock DCR Advisory Committee. The re-dedication of the tower that has been refurbished was discussed. There has been no date set yet. Leadership for the Town of Adams was requested to be included in the event. There are staffing issues at DCR due to budget cuts and increasingly hard for limited staff to keep up with demands. A letter was sent to the legislators to request the addition of a year-round person for this labor intensive position.



TOWN OF ADAMS

BOARD OF SELECTMEN MEETING MINUTES

Susan B. Anthony Committee

Member Nowak attended the *Susan B. Anthony Committee* meeting and advised Pam St. John is working hard to do fundraising. The main goals are to have a statue of Susan B. Anthony put in town and finding locations to have a parade and fireworks. Planning is in the beginning stages.

DEPARTMENT REPORTS

Town Administrator's Report

The Request for Proposals for Russell field has gone out.

The Faerie Festival and Magicon Events will be held on the on June 18th weekend.

There are free bags at town hall for residents. Someone took the big bag from the hallway and is requested to return it if possible.

The Public Tax Auction will be May 25th at the Visitors Center. There are two categories, boarded up or those with inspection. Inspection viewing will be May 19th from 10:00 a.m. to 12:00 p.m. There are four properties not viewing. \$5,000 is the cash down payment. There are two vacant lots, and a \$500 deposit is required on vacant lots.

The Request for Quotes on the Greylock Glen hotel and resort went out and the project is moving along. LED lights are on two different poles, and the look of Park Street would change to a more sanitary white glow from a purple glow, which is not substantially brighter. This is a Green Communities project. More information will be brought to the Board at a future meeting to either go forward or look at other options

Town Counsel Report

Town Counsel St. John III reported that he reviewed permit applications for DPW and he reviewed the National Grid license, had discussions and reviewed the Annual Town Meeting Warrant.

ACTION ITEMS – Provide the RFP for Russell Field and annual audit results received to the Board.

ANNOUNCEMENTS AND GOOD OF THE ORDER

National Small Business Week

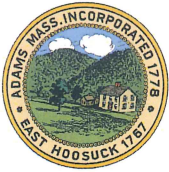
Member Hoyt announced it is National Small Business Week.

Welcome to Member Hoyt

Member Nowak gave an official welcome to Member Hoyt to the Board of Selectmen.

Town Administrator Evaluation

Member Nowak reminded Board Members of the review for the Town Administrator being long overdue and needs to be completed. It was noted this would be put on the next meeting agenda.



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ADJOURNMENT

Motion made by Member Nowak to adjourn

Second by Member Blanchard

Unanimous Vote

Motion passed

The Board of Selectmen Meeting adjourned at 8:40 p.m.

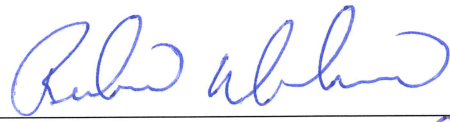
Respectfully Submitted by Deborah J. Dunlap,
Recording Secretary



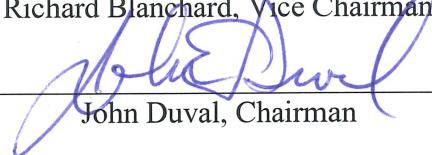
Joseph Nowak, Member



Christine Hoyt, Member



Richard Blanchard, Vice Chairman



John Duval, Chairman