



Town of Adams Massachusetts 01220-2087

BOARD OF SELECTMEN

TOWN HALL BUILDING

8 PARK STREET

Wednesday, October 21, 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. In the room were Town Administrator Green, Town Counsel St. John III, Town Clerk Meczywor, and Peter Gentile of NBCTC. Attending remotely were Attorney Hedges representing Aneeliquor, Inc; Town Assessor MacDonald, Jack Guerino of iBerkshires, Brain Intraversato, James Foley and Peter Prieto of Victory Lounge, Building Commissioner Garner and Tax Collector/Treasurer Rice. *Member Blanchard and Town Accountant Beverly joined the call at 7:19 p.m.*

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 *October 7, 2020* meeting was presented for approval. *Motion made by Member Duval to waive reading and approve the minutes for October 7, 2020, as presented, second by Member Nowak. Vote: unanimous. Motion passed.*

PUBLIC COMMENT:

Join Zoom Meeting

<https://zoom.us/j/98058504596?pwd=NHdCdjV4bW5lK05nZmt6Mjh1Tk1lWZz09>

Meeting ID: 980 5850 4596; Passcode: BOS1021

Dial In: 1 (929) 436-2866; Meeting ID: 980 5850 4596; Passcode: 7764405

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

PUBLIC HEARING

Transfer of All Alcohol License/Change of License Type Application: Juljusz Slowackiego Soc. Grp1365 Polish Nat. All. Db a Julius Slowacki Society d/b/a Polish National Alliance, 13 Victory Street, Adams, All Alcohol Club License to Victory Lounge, Inc., 13 Victory Street, Inc., All Alcohol General on Premises License, 7:10 p.m.

RECEIVED-POSTED
20 NOV -9 PM 2:43
TOWN CLERK
ADAMS MASS.
C. FRK

Motion made by Member Duval to enter into Public Hearing for the Transfer of All Alcohol License/Change of License Type Application: Juljusz Slowackiego Soc. Grp1365 Polish Nat. All. Db a Julius Slowacki Society d/b/a Polish National Alliance, 13 Victory Street, Adams, All Alcohol Club License to Victory Lounge, Inc., 13 Victory Street, Inc., All Alcohol General on Premises License, second by Member Nowak. Roll Call Vote: Chairman Hoyt, Vice Chairman Blanchard, Members Duval and Nowak. Motion passed.

Town Counsel St. John III advised he had reviewed the paperwork and it was straightforward. Brian Intraversato, Peter Prieto and James Foley from the Victory Lounge introduced themselves. Mr. Intraversato reviewed the plans for unique entertainment of performances, live performances and special musicians that are not currently in the area once Phase 4 of the reopening plan for Massachusetts takes place. The public was asked for comments and input, and none were received. Member Nowak inquired about the sale of the building and it was explained that the purchase of the building took place approximately ten months ago. Clarification was made that incorporation of food would take place in the future and the establishment would be family friendly on certain venues, such as comedy shows and social offerings for the community. Some limited food service including a mid-size bar menu will be offered and ServSafe® certifications were just received. It was noted that the kitchen will be opened eventually, and due to the pandemic the initial plan has been changed to obtain the common victualer license now to be able to serve food. It was explained that the sprinkler system is up to date and the ventilation hood will soon be complying for smoke and grease vapors. Mr. Foley estimated a potential opening date of January 1, 2021. It was pointed out that concerns had been expressed from neighbors in the past and Mr. Intraversato advised though he anticipated being open until 2:00 a.m. as the license allows he will work with the neighbors as he is aware that the building is very close to residential homes. Vice Chairman Blanchard reported that Licensing Sub-Committee reviewed the application and found all to be in order.

Motion made by Member Duval to exit Public Hearing for the Transfer of All Alcohol License/Change of License Type Application: Juljusz Slowackiego Soc. Grp1365 Polish Nat. All. Db a Julius Slowacki Society d/b/a Polish National Alliance, 13 Victory Street, Adams, All Alcohol Club License to Victory Lounge, Inc., 13 Victory Street, Inc., All Alcohol General on Premises License, second by Member Nowak. Roll Call Vote: Chairman Hoyt, Vice Chairman Blanchard, Members Duval and Nowak. Motion passed.

Motion made by Member Nowak to approve the Transfer of All Alcohol License/Change of License Type Application from Juljusz Slowackiego Soc. Grp1365 Polish Nat. All. Db a Julius Slowacki Society d/b/a Polish National Alliance, 13 Victory Street, Adams, All Alcohol Club License to Victory Lounge, Inc., 13 Victory Street, All Alcohol General on Premises License, second by Member Duval. Roll Call Vote: Chairman Hoyt, Vice Chairman Blanchard, Members Duval and Nowak. Motion passed.

Tax Classification Hearing, 7:20 p.m.

Motion made by Member Duval to enter into Public Hearing for the Tax Classification Hearing, second by Vice Chairman Blanchard. Roll Call Vote: Chairman Hoyt, Vice Chairman Blanchard, Members Duval and Nowak. Motion passed.

It was explained that a workshop was held on Monday to review the information provided for the Tax Classification Hearing. Town Assessor MacDonald gave an overview of the information. She advised a hearing is required annually before being approved from the Department of Revenue, and this removes the Assessors from the decision making. She advised the tax rate has been split for years.

Growth was reported as being \$3.2 Million this year, and if the total levy is divided by valuation, a single tax rate would be \$23.38. It was clarified that the Board of Selectmen needs to make an informed decision whether to approve a single tax rate or a classified tax rate. Various options were provided to Board Members previously and reviewed on Monday. The tax rate of surrounding properties for informational purposes was also provided and reviewed. Several scenarios were reviewed and it was noted that if the Town continues with a 115% shift, it would be approximately \$.90 increase on the commercial side and \$.74 on the residential side. The Debt Exclusion was noted as adding \$1.15 to the tax rate. It was explained that the average house is \$140,000 and a 115% shift would average approximately a \$100 increase. It was explained that the decision to be made by the Board is on the shift, which was decided consistently as a 115% split over the last 10 years. It was pointed out that businesses are coming to Adams and having a commercial tax rate does not determine the amount of businesses that are here. \$250,000 was confirmed to have been used from Free Cash to lower the tax rate by Town Accountant Beverly. It was pointed out that the Town doesn't have a sewer or water user tax and also has a volunteer fire department and everyone has to pay taxes, but this community makes the elderly feel at home and does well for its children because everyone is pitching in. It was noted that new businesses are coming into the community and hopefully next year will look much better.

Motion made by Vice Chairman Blanchard to exit the Public Hearing for the Tax Classification, second by Member Duval. Roll Call Vote: Chairman Hoyt, Vice Chairman Blanchard, Members Duval and Nowak. Motion passed.

A 115% shift was explained, and a \$140,000 home would be a roughly \$100 increase. For businesses on \$100,000 the increase would also be approximately \$100 depending on valuation. The tax rate was estimated as being \$22.62 Residential and \$22.89 Commercial but may change a couple pennies once the Department of Revenue reviews and approves the tax rate. If it comes back by then the Town will send out the tax bills November 2nd and they will be due by December 3rd. Motion made by Vice Chairman Blanchard to approve a 115% shift, second by Member Duval. Roll Call Vote: Chairman Hoyt, Vice Chairman Blanchard, Members Duval and Nowak. Motion passed.

OLD BUSINESS

Approval of Pledge of Inventory and other documents, 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. It was noted that the paperwork was reviewed by Town Counsel.

Motion made by Member Duval to approve the Pledge of Inventory and Pledge of Collateral and other documents for the 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, second by Member Nowak. Vote: Unanimous. Motion passed.

NEW BUSINESS

November Election Update: Town Clerk Meczywor gave an update on the Tuesday, November 3, 2020 election. She noted that polls will be open from 7:00 a.m. to 8:00 p.m. in person at the DPW Garage, 92 North Summer Street. She advised that Early Voting started Saturday and ends October 29th. Early Voters are requested to knock at the door, sign in, wear a mask and they will be escorted to the voting booth where ballots are put in the ballot box and will be counted on November 3rd. Those not registered to vote are advised to do so by October 24th or register during Early Voting Hours.

The Secretary of the Commonwealth portal can be accessed to register online and to request a ballot by mail. Over 1,900 ballots have been mailed out and those who have not received a ballot are requested to call the Town Clerk's Office or check with the Secretary of Commonwealth Office to see where the ballot is. It was noted that anyone who wants to register to vote and participate in Early Voting will be accommodated if they fill out the form and sign it. Virginia Duval was thanked for her work to promote voting and a record turnout percentage for voting in the country is expected. Town Clerk Meczywor reported she has received 1,200 ballots back so far, which will be processed on November 3rd and in 2016 there were approximately 4,000 ballots. Those voting on November 3rd are asked to be patient as there may be a line and they may bring their own pen in blue or black, but not red. Hand Sanitizer pump spray and hand sanitizing wipes will be available at each table. A concern was expressed about someone coming for Early Voting and then voting on November 3rd again and it was explained the list is marked and checked off when a vote is cast. Lists are rechecked to be sure that does not happen and safeguards are in place to prevent that.

Ratification of WWTP Assistant Maintenance Mechanic, Operator II: *Brian Marko. Chairman Hoyt* read the letter provided by Town Administrator Green recommending the ratification of the appointment of Brian Marko to the position of Wastewater Treatment Plant Assistant Maintenance Mechanic, Operator II. *Town Administrator Green* reviewed the hiring process. The MassDEP mandate of having seven employees in the plant is still in place, and this is a critical position. This internal job change vacates the Operator I position, which is being posted. ***Motion made by Member Nowak to approve the ratification of Brian Marko to the position of Wastewater Treatment Plant Assistant Maintenance Mechanic, Operator II, second by Vice Chairman Blanchard. Roll Call Vote: Chairman Hoyt, Vice Chairman Blanchard, Members Duval and Nowak. Motion passed.***

Proposed Street Number Change from 20 Wenzel Terrace, Adams to 23 Spring Road, Adams. *Chairman Hoyt* reviewed the letter from the Building Office. *Building Commissioner Garner* explained that the property owner had frontage on East Road but has an address off of Wenzel Terrace as the driveway is considered Wenzel Terrace. He advised that the neighbors wanted the owner not to have access off of Wenzel Terrace so he could no longer use Wenzel Terrace to access the property. He pointed out that property owners are given ownership to the center of the street and forced the owner to purchase property two lots up to access the house and get utility access. He asked for an immediate address change so emergency services can access and noted it is critical to have the correct address listed. He noted the properties were merged through the Assessor's Office to go into the Spring Road property and sewer was connected already. He noted that Chapter 41 requires the entrance of the property through frontage, which is on East Road. He advised they had been told previously they could go through Wenzel Terrace by a prior official, who approved it. He noted that a Judge made a decision that was convoluted and this would clear it up for emergency services. ***Motion made by Vice Chairman Blanchard to approve the proposed street number change from 20 Wenzel Terrace, Adams to 23 Spring Road, Adams, second by Member Nowak. Roll Call Vote: Chairman Hoyt, Vice Chairman Blanchard, Members Duval and Nowak. Motion passed.***

DEPARTMENT REPORTS

Town Administrator: *Town Administrator Green* advised the DPW is scheduled to pick up leaves from Town-owned trees the week of November 9th and will continue until the end of November as their work schedule permits. Citizens with Town trees are asked to rake the leaves to the front of the property between the sidewalk to the curbing. He reported that the Town of Adams will resume its search for Chief of Police as Interim Chief Bacon is being summonsed back to Indiana and will not be able to apply for the position. He advised that the solicitation process for a candidate has begun.

Interim Chief Bacon will help with the transition and the process to find a permanent Chief. He noted he will advise the Board as the process proceeds. *Member Nowak* inquired about the Valley Street Project funding and it was explained that it is all within the budget and will be monitored. *Member Duval* inquired about leaf pickup range of dates and streets and whether the DPW would come back if leaves were raked to the edge of the street after the November 9th date. It was noted they will return as scheduling allows and DPW Director Tober will be at the next meeting to report out on it but the focus is on this window of time town-wide. *Chairman Hoyt* advised by morning the Town Administrator evaluation form will be in Board Members' inboxes and will be for the March 2019 through March 2020 time period. The deadline for their return is Monday, November 2nd. She advised that April to September will be in the next evaluation cycle.

Town Counsel: *Town Counsel St. John III* advised that since his last report on October 7, 2020 he prepared for a dangerous dog hearing before the District Court which was continued until October 23rd at 2:00 p.m. and witnesses are lined up. He noted he is preparing a response to an amended complaint for judicial review, and he reviewed two pending alcohol license transfers.

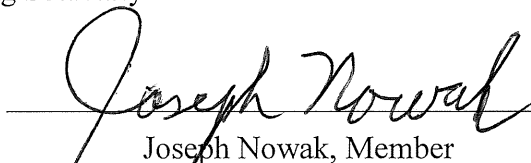
SUBCOMMITTEE AND LIAISON REPORTS: *There were no items to report.*

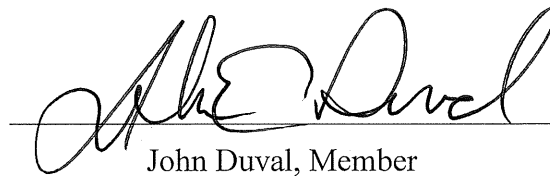
ANNOUNCEMENTS AND GOOD OF THE ORDER: *Chairman Hoyt* reminded people that for Halloween there is an alternative plan in place for public safety vehicles to be in the neighborhoods in town between 5:30 and 7:00 p.m. and the community has been very generous in donating candy to the Police Department. She advised citizens to listen for the Public Announcement system as vehicles go through.

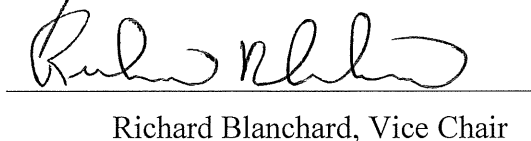
ADJOURNMENT: *Motion made by Member Duval to adjourn the meeting, second by Member Nowak. Vote: unanimous. Motion passed. Meeting adjourned at 8:21 p.m.*

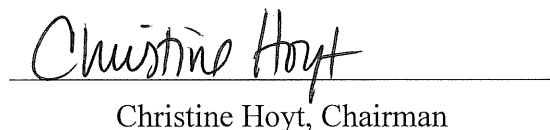
Respectfully Submitted by Deborah J. Dunlap,

Recording Secretary


Joseph Nowak, Member


John Duval, Member


Richard Blanchard, Vice Chair


Christine Hoyt, Chairman