

RECEIVED-POSTED

Town of Adams Massachusetts 01220-2087

BOARD OF SELECTMEN 21 JAN 12 AM 11:47 TOWN HALL BUILDING
8 PARK STREET

TOWN CLERK
ADAMS MASS.

Thursday, December 10, 2020, 5:00 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 and on Zoom. The meeting was called to order at 5:00 p.m. by Board of Selectmen Chairman Hoyt. Present were Members Duval, Nowak and Town Administrator Green. Attending virtually were Chairman Hoyt, Vice Chairman Blanchard, Tom Reidy, Luke DiStefano of Bowler Engineering, Charles Meek from First Hartford, Jason Adams, and a woman named Elizabeth.

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.

PUBLIC CALL-IN:

Time: Dec 10, 2020 05:00 PM Eastern Time (US and Canada)

Join Zoom Meeting:

<https://zoom.us/j/97143316481?pwd=dm1lM0llSFM4R1p6WEhHK3VhdGpJQT09>

Meeting ID: 971 4331 6481; **Passcode:** 121020

Dial In: 1 (929) 436-2866 US (New York); **Meeting ID:** 971 4331 6481; **Passcode:** 121020

NEW BUSINESS

Presentation and Discussion on proposed Cumberland Farms Development on Commercial Street: Town Administrator Green gave a brief overview and introduced Tom Reidy. Luke DiStefano explained that the location is the corner of Commercial and Prospect Streets, the location of a former garage. He reviewed the Cumberland Farms Convenience Store plans, which would be over 4,000 square feet for the store, and he reviewed the parking space plan. An overview was given of the canopy design parameters and eight fueling positions serviced by storage tanks. Access would be served by two curb cuts; one along Commercial Street and the other along Prospect Street. The plan is to maximize green space for abutters and put in landscape buffers to fit in with the community. The public was invited to ask questions. "Elizabeth", the home owner living at the house in the corner by Elm Street and Temple Street asked how long it will take to build, and about lighting. Mr. Distefano advised that from demolition to opening the store it would be estimated to be four to six months. Mr. Reidy advised it will be a 24-hour operation, and they are sensitive to neighborhood so have designed some controls on lighting and audio advertisements to balance patron safety and neighborhood impact. The lighting design was reviewed and it was noted they would have down lights only where they are needed. The light intensity was discussed and Elizabeth noted that when she looked around

the Cumberland Farms in Pittsfield was exceedingly bright in the evening and she was concerned. She noted that it is light at around 6:00 a.m. and dark at 4:00 p.m. and bright lights and noise all around would impact this particular neighborhood. *Charles Meek* from First Hartford suggested the location in Westfield on Route 202 and North Street to be closest to represent the lower lighting for day and night that would be the closest design. *Mr. Distefano* provided a view looking into site from Commercial Street, to give the size and layout standpoint, and also provided a view from Prospect Street. It was pointed out that the sign was designed with stone pillars to fit in. Exact plantings are being ironed out but will be providing buffers that will also help maintain visibility. Fencing and vegetative buffers will go along residential properties. *Member Nowak* advised the location was a gas station and it was confirmed that part of the development is to handle environmental issues. The location has been thoroughly vetted as part of the development and environmental soils and situations will be handled. It was pointed out that the storage gas tanks are double encaged. It was explained that Commercial Street is being upgraded and if the project goes forward they are asked to work closely with the engineers on the curb cutting and the coating and black topping of the area to save time. Concern was expressed about dumpster emptying and the local contractor operates as early as 3:00 a.m., making a lot of noise that can be heard from a distance. A request was made for arrangements to be made for a better timeframe as one of the conditions. It was noted that the design will provide for restrooms. A request was made for the plantings to be salt resistant as they will be close to the road. It was confirmed that the landscape architect will assure New England specific and drought tolerant species that are salt resistant. *Member Duval* asked to have a review of the three exits where vehicles can go left or right in order to avoid confusion. *Jason Adams of McMann Associates* advised they were making sure there are appropriate sight lines and ample opportunity for cars to see each other and have visibility to make sure vehicles can get in safely. He noted there is good data to build on and he will update the report. The access points were noted as being on Elm Street, Commercial Street and Prospect Street. "Elizabeth" inquired about the Town agreement with the Cumberland Farms and asked if there is a way to create assurance in writing for the on and off times for noise and lighting. It was explained that this is an informal meeting and there will be a formal public hearing process before going to the Planning Board. Abutters within 300 feet of the project will be notified and during meeting there will be discussion on the noise, lighting, access and other items of concern. If the project underperforms the Town could go back to the company to let them know they need to improve in those areas. *There were no other public comments.* It was noted that if there are any other questions or concerns Board Members should get in touch with Tom Reidy, Town Administrator Green or Donna Cesan. It was noted that in approximately a month or so it will be going before the Planning Board to look at spring of next year to clean up the property and get it in order. It will also need to go before the Conservation Commission and Zoning Board as well.

Chief of Police Position Deliberation, Decision, and Review of Next Steps: *Chairman Hoyt* provided some background of the process, and of Interim Chief leaving. She noted that the Screening Committee narrowed the applicants down to eleven candidates and the Board of Selectmen interviewed the two finalists. *Member Duval* thanked Screening Committee for their hard work and noted that the quantity of applicants interested was encouraging. It was explained that the finalists were narrowed down to four and two withdrew. It was expressed that both candidates did a fine job answering questions, and he felt that one stood out more than the other. ***Motion made by Member Duval to approve the offer of the Chief of Police Position to K. Scott Kelley pending contract negotiations, second by Vice Chairman Blanchard.*** Discussion ensued. *Member Nowak* advised it was a very tough decision, and he liked both candidates. He asked to hear the comments by other members. *Member Duval* expressed that listening to Candidate Kelley reminded him of Chief Bacon.


He noted that the Town was fortunate to hire Chief Bacon and his personality fell right into place. His leadership skills matched well with the department. It was explained that this type of personality is one we would like to have moving forward. He noted in his answer to the question about why Adams, Candidate Kelley mentioned that his wife is from Massachusetts and has the skills and experience in law enforcement in addition to their plan to move to Massachusetts after 25 years of service. He noted that having ties to area is a big factor and when they come here they want to be active members in the community. He stated he felt he had a "down to earth" personality. He pointed out that Candidate Kelley's response to the measures and metrics questions indicated the need to explain in great detail what measures mean and he was honest about it, which was a good response. He reviewed that in discussion regarding policy, Candidate Kelley expressed he would include his team in the policy process decision making in a committee at the station before bringing it to the Town Administrator and Board of Selectmen. He noted that Candidate Kelley indicated a "door is open" personality and when there is a bad day or incident he will try to calm the situation and talk through it. He noted the expression of having a team effort at the station. *Vice Chairman Blanchard* stated he agreed and that Candidate Kelley's personality and leadership style was much like Chief Bacon. He noted that he has seen how that works in our department. He expressed that Chief Kelley would be more of a mentor, and some of the training he received could be helpful. He noted that he personally believed Candidate Kelley would be a better fit with our department. *Member Nowak* stated he enjoyed listening to Candidate Kelley speak, but had concerns that on his resume he had lowered himself with his last assignment as a Chief Officer of a Community College. He noted that he kept mentioning that he was at the time to get his 25 years. He advised that he doesn't see anything that reminded him of Chief Bacon, and that he could see Chief Bacon's leadership. He pointed out that Candidate Josephson had a lot of zeal but had trouble in Egremont and he had looked into it a good deal. He gave a brief overview of his findings and asked if anyone had looked into it. *Chairman Hoyt* indicated it was a disagreement between him and the Egremont Board of Selectmen and the direction they wanted to go. It was expressed that there was an indication of problems with staff and illegal taping. It was pointed out that Candidate Josephson made note of his integrity and staff left the force because what they saw was not what they felt should be in the department. *Member Nowak* stated it was obvious that Chief Kelley was going to be voted in. He pointed out that there were things about him he liked including his references to his family, his decision to come back to be with his family and his show of family ties. He noted his vote would go with Erik Josephson. He asked the other Board Members if they had any personal conversation with Chief Bacon on who he preferred for position. *Chairman Hoyt* stated she had a conversation with Chief Bacon where she asked questions about his process about coming from out of state and what it meant for him. She stated she asked about the South Carolina area and if it was close to the population in Adams, and asked about the training that Chief Josephson and Chief Kelley had. *Member Duval* expressed that Board Members need to respect each other and he stated he respects Member Nowak. He advised that he has not had one conversation with Chief Bacon other than greetings, and he listened to both candidates. He expressed that he respected all Board Members. *Vice Chairman Blanchard* inquired why he would not talk to the resident expert. He stated he asked about one candidate that seemed very nervous and wanted to know if the other interviews were the same. He noted that he asked if there was any feedback from the Sergeants that were on the call, and asked for the Chief's personal input. He pointed out that these are all tools he put in the bag to help make his decision. ***Voted in favor were Chairman Hoyt, Vice Chairman Blanchard and Member Duval. Voted in opposition was Member Nowak. Motion passed.***


It was noted that the next step is for Town Administrator Green to reach out to both candidates to notify them, and to work on negotiating the contract with Chief Kelley.

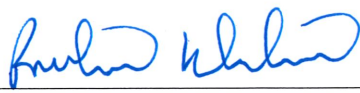
Announcements and Good of the Order: *Chairman Hoyt* advised the dates, times and Zoom information has been sent regarding the next meetings. *Member Nowak* wished Chief Bacon the best, stated he respects his decision to go back home and hopes to email him in the future. *Member Duval* thanked Chief Bacon for his service to the community and noted that he has created a positive baseline for the Police Department and a role for Chiefs to come. He noted that baseline was used in the selection of a new Chief, he thanked him, and wished him well. *Vice Chairman Blanchard* thanked Chief Bacon and expressed best wishes to him for his future. *Chairman Hoyt* wished Chief Bacon well, and noted he was here for a short time but made a big impact. She thanked him for spending the last part of his law enforcement career with the Town of Adams and thanked him for his help bringing his successor to the community. *Chief Bacon* thanked the Board Members for their trust and noted it was a pleasure working here and getting to know everyone. *Chairman Hoyt* advised that Chief Bacon is still the Chief through the end of December by contract and he is working with the Sergeants to plan the transition. *Town Administrator Green* advised they had a great transition meeting this afternoon and they made themselves available with the Chief. He spoke on behalf of the board that he trusted the four Sergeants and needed them to get through next few weeks. He stated he was confident the Town has the right team in place. He noted a positive experience working with Chief Bacon who spent a tremendous amount of time working on department projects. He explained that he will have the new Chief move forward with them. He thanked Chief Bacon, and stated he learned a lot, especially about social media. *Chairman Hoyt* advised that tomorrow at 5:00 p.m. is the last day for residents to sign up for the home decorating contest. Currently there are 49 houses signed up, and next Wednesday the Town Clerk will announce how to access the map and how people can vote next Friday and Saturday. The next Meeting will be Wednesday, December 16th at 7:00 p.m. and information will be sent by as the agenda is being built. *Chairman Hoyt* offered to talk with Member Nowak to discuss how they can move forward and work together, and he expressed that though it was a good gesture and kind of her he didn't see how it would make a difference. He thanked her for the offer.

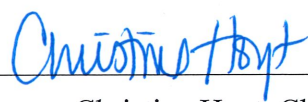
ADJOURNMENT: *Motion made by Vice Chairman Blanchard to adjourn the meeting, second by Member Duval. Vote: unanimous. Motion passed. Meeting adjourned at 6:30 p.m.*

Respectfully Submitted by Deborah J. Dunlap,
Recording Secretary


Joseph Nowak, Member


John Duval, Member


Richard Blanchard, Vice Chair


Christine Hoyt, Chairman